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JOURNAL

OF THE

SENATE

OF THE ELEVENTH GENERAL ASSEMBLY

OF THE

STATE OF ILLINOIS,

AT THEIR FIRST SESSION, BEGUN AND HELD IN THE TOWN OF VANDALIA,

DECEMBER 3, 1838.

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VANDALIA, ILL.

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JOURNAL OF THE SENATE.

At a General Assembly of the State of Illinois, begun and held at Vandalia, on Monday, the third day of December, in the year of our Lord one thousand eight hundred and thirty-eight, it being the first session of the Eleventh General Assembly of said State, the following members appeared and took their seats, viz:

From the county of Sangamon—JOB FLETCHER.

From the county of Morgan—WILLIAM B. WEATHERFORD and WILLIAM O'REAR.

From the county of Macoupin—JOSEPH BOROUGH.

From the county of Greene—JAMES TURNER.

From the county of White—WILLIAM H. DAVIDSON.

From the county of Adams—ORVILLE H. BROWNING.

From the counties of McLean and Macon—JAMES ALLEN.

From the county of St. Clair—JOHN MURRAY.

From the counties of Edwards, Wabash and Wayne—HENRY I. MILLS.

From the county of Shelby—PETER WARREN.

From the counties of Madison, St. Clair and Monroe—JAMES B. MOORE.

From the counties of Warren, Knox and Henry—PETER BUTLER.

From the county of Tazewell—BENJAMIN MITCHELL.

From the county of Randolph—RICHARD B. SERVANT.

From the county of Fulton—SAMUEL HACKELTON.

From the counties of Franklin and Jackson—BRAXTON PARRISH.

And thereupon, the Senate was called to order by Mr. Davidson, Speaker of the Senate.

On motion of Mr. Thomas,

Jesse B. Thomas, jr., was appointed Secretary pro tem.; and

On motion,

William Graves was appointed Sergeant-at-arms pro tem.

The following gentlemen presented certificates of their election in the present General Assembly, were qualified and took their seats, viz:

From the county of Sangamon—ARCHER G. HERNDON.

From the county of Madison—GEORGE CHURCHILL.

From the county of Morgan—WILLIAM THOMAS.

From the county of Gallatin—WILLIAM J. GATEWOOD.

From the counties of Clinton and Marion—WILLIAM GASTON.
 From the counties of Vermilion and Champaign—WILLIAM FITHIAN.
 From the counties of Union and Alexander—JOHN S. HACKER.
 From the county of Schuyler—WILLIAM A. RICHARDSON.
 From the counties of Hamilton and Jefferson—NOAH JOHNSON.
 From the county of Edgar—NELSON W. NUNNALLY.
 From the counties of Montgomery and Bond—WILLIAM HUNTER.
 From the counties of Greene and Calhoun—FRANKLIN WITT.
 From the counties of Lawrence, Crawford and Jasper—ABNER GREER.
 From the county of Pike—WILLIAM ROSS.
 From the counties of Fayette, Effingham and Clay—ROBERT BLACK-

WELL.

From the counties of Peoria and Putnam—JOHN HAMLIN.
 From the counties of Washington and Perry—JOHN D. WOOD.
 From the counties of Clark and Coles—BYRD MONROE.
 From the counties of Jo Daviess, Rock Island, Stephenson, Winnebago, Ogle, Mercer and Boone—GEORGE W. HARRISON.
 From the counties of McDonough and Hancock—SIDNEY H. LITTLE.
 From the counties of Pope and Johnson—WORTHINGTON J. GIBBS.

On motion of Mr. Thomas,

The Senate proceeded to the election of a Secretary.

And thereupon, the Senate proceeded to vote for Secretary as follows, to wit:

Those who voted for Benjamin Bond, are,

Messrs. Thomas, O'Rear, Herndon, Fletcher, Moore, Servant, Browning, Murray, Mills, Allen, Churchill, Gatewood, Fithian, Greer, Ross, Blackwell, Hamlin, Monroe, Harrison, Little and Mr. Speaker—21.

Those who voted for M. L. Covell, are,

Messrs. Weatherford, Turney, Witt, Borough, Warren, Butler, Mitchell, Hackelton, Parrish, Gaston, Gibbs, Hacker, Richardson, Johnson, Nunnally, Hunter and Wood—17.

And thereupon, Benjamin Bond having received a majority of the votes given, was declared duly elected Secretary of the Senate of the Eleventh General Assembly of the State of Illinois.

On motion,

The Senate then proceeded to the election of an Enrolling and Engrossing Clerk; when the vote stood thus:

Those who voted for William Moore, are,

Messrs. Allen, Herndon, Fletcher, Thomas, O'Rear, Churchill, Ross, Browning, Little, Hamlin, Harrison, Moore, Servant, Murray, Mills, Warren, Gibbs, Borough, Greer, Blackwell, Monroe, Fithian, Hunter and Mr. Speaker—24.

Those who voted for Thomas H. Owens, are,

Messrs. Weatherford, Witt, Turney, Richardson, Butler, Hackelton, Wood, Gatewood, Hacker, Gaston, Nunnally, Johnson, Mitchell and Parrish—14.

And thereupon, William Moore having received a majority of the votes given, was declared duly elected Enrolling and Engrossing Clerk to the Senate of the Eleventh General Assembly of the State of Illinois.

The Senate then proceeded to the election of a Sergeant-at-arms, and the vote having been eleven times taken, stood as follows, to wit:

For J. Weatherford 1. For L. Lane 21. For — Witt 11. For — Hyle 4. For — Powell 1.

Whereupon, Levin Lane having received a majority of all the votes given, was declared duly elected Sergeant-at-arms to the Senate of the Eleventh General Assembly of the State of Illinois.

On motion,

The Senate adjourned until to-morrow morning, 10 o'clock.

TUESDAY, DECEMBER 4, 1838.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have met and organized by electing Wm. Lee D. Ewing their Speaker, David Prickett their Clerk, Joseph R. Loveless their Engrossing and Enrolling Clerk, and Wm. C. Murphy their Door-keeper, and that they are now ready to proceed to legislative business. And he withdrew.

On motion of Mr. Turney,

Resolved, That the Secretary inform the House of Representatives that the Senate has met, organized, elected Benjamin Bond Secretary, William Moore Enrolling and Engrossing Clerk, and Levin Lane Sergeant-at-arms, and is now ready to proceed to legislative duties.

On motion of Mr. Thomas,

Resolved, That the rules adopted for the government of the Senate at the last session, be adopted for the present session until otherwise ordered.

On motion of Mr. Blackwell,

Resolved by the Senate and House of Representatives, That the joint rules adopted by the two Houses at the last session, be again adopted until otherwise ordered.

Mr. Servant asked and obtained leave to introduce the petition of a part of the citizens of Randolph county, praying a repeal of a portion of the State road from Salem to Chester. On his motion, the reading of said petition was dispensed with and referred to a select committee.

Ordered, That Messrs. Servant, Gaston and Moore, be that committee.

On motion of Mr. Gatewood,

Resolved by the Senate and House of Representatives, That a joint select committee of two from the Senate and three from the House of Representatives, be appointed to wait on the Governor, to inform him that the two Houses of the General Assembly of the State of Illinois have met and organized, and are ready to receive any communication which he may wish to make.

Ordered, That Messrs. Gatewood and Harrison be the committee on the part of the Senate.

On motion of Mr. Gatewood,

Resolved by the Senate and House of Representatives, That both Houses of the General Assembly will meet in the Representative Hall on Wednesday, the 5th instant, at 2 o'clock, P. M., and there canvass the returns for Governor and Lieutenant Governor of the State of Illinois.

Mr. William Stadden presented his certificate of election as Senator in the present General Assembly, from the counties of La Salle, Iroquois, Kane and De Kalb, was qualified and took his seat.

Mr. Gatewood, from the joint committee of the two Houses appointed to wait upon the Governor, &c., made the following report, viz:

The joint select committee, appointed by joint resolution of both Houses of the General Assembly to wait on the Governor and inform him of the organization thereof, and their readiness to receive any communication he might think proper to make, report: that they have performed that duty and received from his Excellency for answer, that he would transmit to the Senate a written communication at 2 o'clock, P. M., to-day.

A message from the House of Representatives, by Mr. Prickett, their clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their resolution in relation to the joint rules.

They have also concurred with them in their resolution for the appointment of a joint select committee to wait on the Governor, &c., and have appointed Messrs. Hardin, Williams and Webb of White, the committee on the part of the House.

They have likewise concurred with the Senate in the adoption of their resolution appointing Wednesday, the 5th inst., at 2 o'clock, P. M., for both Houses to meet in the Representative Hall and canvass the returns for Governor and Lieutenant Governor of the State of Illinois. And he withdrew.

A message from the Governor, by Mr. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Whereupon, Mr. Speaker laid before the Senate the following message, which was read, viz:

*Fellow-Citizens of the Senate,
and House of Representatives:*

On retiring from office, were I to consult my own feelings, I should simply take leave of you and my fellow citizens, generally, by an attempt to express that gratitude which I sincerely and most deeply feel, for the generous confidence so repeatedly reposed in me, and by offering an apology for the unsatisfactory manner, to myself, at least, in which I have discharged its high and responsible duties, and leave all suggestions for your deliberations to my worthy successor, in whose abilities and disposition to serve the State faithfully and efficiently, I have, and I doubt not you all have, the fullest confidence. But custom and duty require a different course. I therefore proceed to lay before you, very briefly, my views on several subjects that will probably claim a share of your deliberations during the present session.

In relation to the impolicy of our system of Internal Improvement, my mind has undergone no change as expressed in my objection to the passage of the act, and my recommendation of its repeal at the called session

of July, 1837. Indeed, if I could then have doubted the evils threatened by this measure, which I did not, experience has now sufficiently shown that all my objections to it must in time be fully realized; and I doubt not, from facts observable by all, that many of those who have most zealously supported the system, begin already to question its propriety. How to correct this mistake, and get rid of the evils with which we are threatened by this improvident act, without too great a sacrifice of public or private interests, is a subject which should, and I doubt not, will occupy your serious and patriotic deliberations, in the proper adjustment of which all should rise above every narrow and selfish view, looking alone to the interest and prosperity of the whole State. That there should have been many mistakes committed, and much waste of public money, in conducting a system of internal improvements on so large a scale, in a country almost entirely destitute of skill and experience in such works, was to have been expected. But I confess they have occurred to an extent never anticipated by myself—and whether by mistake or design, it is very manifest that large sums have been squandered on objects of little or no general utility, and in some cases to the detriment of the public interest. My chief objections to the passage of this bill, it will be remembered, were the effects I anticipated it would have on the purity of elections, and the action of the Legislature. The short time that has elapsed has fully verified the soundness of those objections; and when the whole system shall have been completed, and thousands of officers, engineers, agents and laborers, shall have the same common interest in sustaining or opposing any measure which may affect their pay or pecuniary interests, they will not only, as was the case at the last called session, have representatives in your Legislature, but will be here in numbers sufficient, openly or covertly, legally or illegally, to control its action. The want of economy, and the deleterious effect of such a system, owned, controlled and carried on by the State, are great and insurmountable objections to it; but, in my opinion, not so great, because not of such duration, as the power it confers on the State Government, through its numerous officers and dependants, to influence elections and legislation.

Government in the United States was instituted for the benefit of the whole people—each citizen forming an independent pillar, and all equally supporting the grand fabric, which is the Constitution and laws made by their own hands. The officers created to administer its affairs require no patronage, or power, to sustain their authority or influence over the people, and should have no more given them than is indispensably necessary to a just and efficient discharge of their official duties. To confer a greater power than this on any office or department, of a republican or democratic government, is a violation of good sense and sound discretion—an error which it is feared may prove the destruction of our free and happy institutions. Recent events, even in our own country, have shown that power is never satiated, and confirms the experience of other times, that it “is gradually stealing from the many to the few.” If, therefore, we would preserve our liberties, it should become a fixed principle, that our Government should be clothed with no other authority than is necessary to make, administer and execute the laws. It should have nothing to do with carrying on large plans of Internal Improvement, or any other schemes, which shall of necessity confer upon it, or any of its depart-

ments, powers and duties better suited to a bloated monarchy than a plain republican people. I therefore again recommend that all such works of improvement be left in the hands of the citizens of the State, or to corporations created by law; and that the Government have as little to do with them as possible, except to encourage all such undertakings by an equal and liberal subscription for their stock.

For the accomplishment of those, and all objects which require the combination of capital, I would recommend the passage of a general incorporation act, so that the funds belonging to widows and orphans, the imbecile and aged, who are unable to employ them in business, may have the opportunity of using them for the improvement of the country, and thereby receive advantage, while they confer a benefit on the whole community. I would recommend this measure for the further reason that, by limiting the number of appointments, it will prove an antidote to the schemes of those designing politicians who are making war upon every corporation for the purpose of concentrating all power in the hands of Government.

Should it be thought best, however, to continue the present system of Internal Improvement, I would respectfully suggest the propriety of making it the duty of the Engineer to survey and locate all roads, subject to the revision of the Board of Public Works, and not to make such survey and location in obedience to the dictation of any member of the Board; and, also, to require the Engineers to be appointed by sanction of the Board, and not to be removed without its consent, except in cases where their services may not be required. Also, of providing for some just, equal, and uniform mode of obtaining the right of way on the several proposed railroads, which might be accomplished by the appointment of three Commissioners for each district; also, so to amend the present act as to enable the courts to punish offences committed under it.

The United States Executive, following the example of the arbitrary governments of the old world, has become a mere political or electioneering establishment, to furnish places, out of which their partizan friends can make fortunes—an influence which is now sweeping every thing within its vortex; making the most important measures, as well as the most trifling elections of the States, to turn upon national politics. The great and growing patronage and power of the Executive Department of the National Government now enable the President to confer higher offices with greater honors and pay, with a single exception, than are in the gift of the people themselves. Governors and ex-Governors, Senators and Representatives in Congress, solicit, and feel honored by receiving, second-rate appointments under it. This patronage has been, and is now, notoriously used to influence State elections, and secure supporters for the late and present administration—a power that is becoming more and more extensive every day. At first, the public officers were but a few hundred; now, they number many thousands. They were formerly appointed for their qualifications to serve the public—they are now appointed to obey and serve their party leaders. Formerly, they relied upon their good conduct and fidelity to the public, for continuance in office; now their subservience to “the party” is the most important requisite.

Formerly, the public officers, acting under regulations of law alone,

were checks upon one another; now, under the dictation of the Government, they act as a "unit;" and it is notorious that many of the subordinate collectors who are active supporters of the party, have squandered the public money, with the perfect knowledge of the Executive; and those officers designed by law to hold them in check, in place of doing their duty, have concealed the facts from the people under circumstances which leave no doubt of the motive. Formerly the public officers were not permitted to become active politicians, for the purpose of influencing elections in the States, and were left to vote and speak like freemen; now, from the President down, they are all active politicians, wielding the influence of office, the power of money and the press to sustain themselves. Under the proscriptive and arbitrary policy of the Executive Government, the public officer loses his independence of action and of speech, the most essential attribute of liberty. It is a maxim, that he who enslaves a citizen is a tyrant, and if so, those who permit it, cannot long expect to retain the name of freemen. If the policy of this administration were to stop here, it would not be surprising to hear the deep murmuring of the people from every quarter against the abuse of its power and patronage.

But, in addition to this, which of itself is almost too much for the people, the same administration has continued, for about nine or ten years, one uniform grasp after additional patronage; (a thing which belongs only to ambitious tyrants, to reward the servility of their dependants; a word and principle which should be scowled by every freeman in our country,) until it has now become exceedingly doubtful whether they are not able to sustain themselves in authority, in defiance of the people. How to remedy those evils, and quiet their murmurings and apprehensions, should be a serious subject of enquiry with you and every reflecting citizen in our country, without distinction of party; for, when the ocean heaves, there is no certainty whose bark will be able to ride successfully upon its troubled waves. We have seen that Congress, left to its own action, is not to be relied upon. For its members are too deeply interested in sustaining and increasing a patronage, which hundreds of them look to for the consummation of their highest ambition. To such a degree is this the fact, that it has become a common occurrence for members of Congress to make their places mere stepping stones to higher office; which is now done with perfect assurance, if by servility to the Executive, or by the abandonment of principle and duty, they lose their popularity at home, that the Government will take care of them. To use the popular phrase, the President never neglects those who are crippled in his service.

With such evidences before me, I can see no hope of reform, but for the Legislatures of the different States to instruct their Senators, and the people their Representatives in Congress, to vote for all measures to reduce the Executive patronage, the receipts and expenditures of Government, and to prohibit the removal of public officers on party grounds, or for any cause without assigning a reason to the Senate for such removal: to prohibit members of Congress from receiving appointments from the Executive of the United States for at least two years after the expiration of the time for which they may have been elected; and to prohibit,

under severe penalties, any officer of the United States Government from persuading, bribing or otherwise influencing voters at elections; from conducting a newspaper press; from bribing or influencing any editor of a paper to support any political party, or contributing money for either of the before named purposes: those powers form the great lever with which the Executive is now controlling the politics and elections of the whole country. Correct them, and all other abuses, great as they are, will become comparatively harmless; and the Government, which now, like a mighty river, has overflowed the whole land, will sink quietly within its limits, and aspiring men will once more rely upon patriotism, virtue, and talents, to secure those places of honor which every citizen of our country should, and under such circumstances would, become ambitious to receive.

The work on the Illinois and Michigan canal has progressed as rapidly as could have been expected. \$444,292 have been received by the Canal Commissioners on account of lots and lands sold. \$500,000 of State bonds were sold in 1836 and 1837, in New York at 5 per cent. premium; and \$500,000 have recently been sold in this State to the State Bank of Illinois at par; of which sums, all except \$10,591 61, have been paid over to the Canal Commissioners, which balance remains on deposit in the State Bank of Illinois, subject to the order of my successor. In anticipation of the Commissioners' report, which I am informed will not be ready before the 20th instant, I am authorized to say that all of the summit division lying between Chicago and Lockport, all of the lower division extending to La Salle from Marseilles, and that part of the middle division from Lockport to Dresden, are under contract, together with all locks, aqueducts, dams, culverts, &c., leaving only that part of the line (23 miles) between Dresden and Marseilles yet to be let; composed chiefly of light and cheap work. The work under contract will amount to about seven and a half millions, and is progressing well. Several sections on the lower division are completed, and all others have so far progressed as to establish their entire practicability, and show that they will be finished at less than the original estimates of the board. The gross expenditures are about \$1,400,000, the principal part of which have been made in the last year. With proper appropriations, the board are confident that the canal can be finished early in the summer of 1844, and they are just as confident that the lands, if not passed into market, will build the canal. Provision for further means to carry on this work will be a subject for your early consideration, and I most earnestly recommend it to your fostering care. Considering the canal now, as I ever have considered it, a national highway, to be kept as free as the waters of the Mississippi or St. Lawrence, and that the nation stands pledged to furnish the entire means for its completion, I would again recommend that such additional loans be made as may be required for immediate purposes, to be replaced out of the sale of lands, and if the lands already granted shall not produce a fund sufficient to make the canal, to apply to Congress for further appropriations; and with this view I would again respectfully suggest the importance of keeping Congress and the Executive branch of the General Government regularly informed of the progress and expenses of the work, as it will be seen by refer-

ence to a report made by the unanimous vote of the standing committee on roads and canals, in the House of Representatives in Congress, on the 25th of June, 1834, on an application for further aid to enable the State of Illinois to construct a steamboat canal from lake Michigan to the Illinois river, and from the articles of cession and the ordinance of 1787, Congress and the nation stand committed to furnish the entire means for completing this canal. (See Doc. No. 356.) Said report concludes as follows:

"For the reason that no estimates have been made of the probable cost of this work, further aid from the United States towards the construction of this interesting communication, should be deferred till such an examination and estimates be made, and a plan adopted by the State of Illinois for construction of its necessary works. When the plan shall have been fixed and presented to the consideration of Congress, there can be no doubt that, if approved by them, additional aid will be afforded to an enterprise of such national importance."

The Banks of our State, as well as those in most of our sister States, since the rejection of the Government Sub-Treasury scheme by Congress, have resumed specie payments, and are fully entitled to the public applause and confidence they are now enjoying, for the prudence and judgment they have used in sustaining themselves, under difficulties of so threatening a nature. The subjects of Banking and Credit are now undergoing a severe scrutiny in this country; and it is but reasonable to suppose that such investigation, though obscured by party prejudice, may result in something beneficial to our country; and while the public mind is thus engaged, I beg leave to present for your consideration a proposition submitted in my message in 1836, the object of which (without touching the subject of Banking now in existence, or that of a National Currency) was, if practicable, to increase the investment of capital in our State, and at the same time to produce a sound and efficient credit system, by the State furnishing (without becoming in anywise responsible for their payment,) scrip or notes of a uniform description for the full amount of all sums which any individual or companies may actually invest in loans at 6 per cent. for five or more years, to be secured by mortgage on real estate; which scrip or notes to contain on their face, authentic evidence of the funds pledged for their redemption, and to be used at the discretion of the holder, as a circulating medium, and redeemable in specie according to promise, under heavy penalties, and the mortgaged premises to be held bound for their ultimate payment. I doubt not, a system may be formed by an act of this kind, with proper details, which would, by making this scrip an available stock, as well as to answer for a circulating medium, induce capitalists and others holding money in or out of the State to loan it to our citizens for a long period, at low rates of interest, and at the same time furnish a system of credit, based upon the most perfect possible security—which would invite capitalists from abroad—put all the dormant funds now in the country into active use, and at once, for all practical purposes, double the amount thus invested, and so classify the monetary operations of the State as to furnish permanent loans to the farmer and mechanic for improvement, and the temporary use of money to the merchant and trader.

Reclaiming the wet and overflowed lands of the river bottoms of this State, especially the Mississippi, Illinois and Wabash, for the purpose of promoting health and reducing them to cultivation, is a subject of much

interest, and one that I would recommend to your consideration; at least so far as to solicit the aid of Congress, either by appropriation or a donation of the unsold lands within, and adjoining to, said bottoms, to assist in accomplishing the work, in which the United States have an equal interest with this State. The rapidly increasing commerce on those rivers requires an immediate improvement of their channels; and as the United States are bound to keep them open, by an agreement with Virginia, in the articles of cession, and with the Governments of Ohio, Indiana and Illinois, in the following article of the ordinance of 1787, which was required to be made a part of the constitution of those States; to wit: "ARTICLE 4. The navigation of the waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of said territory as to the citizens of the United States and those of any other States that may be admitted into the confederacy, without any tax, impost or duty therefor;" and as those two rivers, the Wabash and Illinois, are recognized to be the waters alluded to, and the United States have provided for improving the carrying places between them and the lakes, there can be no doubt, when properly informed of the importance and necessity of such improvements, that the United States Government will act in good faith, and immediately cause every obstruction to be removed from their channels. I would therefore recommend that the subject be laid before Congress at its present session.

The passage of an efficient road law, which would not only open and improve, but render the public highways permanent and straight, is greatly desired, and would be a measure of general utility. A mineralogical and agricultural survey of the State could not but be attended with the most favorable results; and I doubt not, the former would develop new sources of wealth to our enterprising citizens, while the latter would exhibit a variety of valuable productions, which our best informed farmers have no knowledge that either our climate or infant settlement are capable of producing.

A well arranged and properly disciplined Militia gives to a free people the confidence of a strong man;—if neglected, confusion and dismay will be the consequence at every appearance of danger. Too much attention, therefore, cannot be bestowed upon this subject, and I would suggest the propriety of offering additional inducements for raising and equipping independent companies, and of requiring, under the severest penalties, the strict performance of military duty by every qualified citizen of a suitable age. It is a tribute which we must expect to pay for the enjoyment of our liberty, and it is the only means of preventing the establishment of a large, expensive and dangerous standing army, by the National Government. For when the people cease to protect themselves, it is only natural that the Government should take them under its care.

While I should be the last man in our country to advise any improper or illegal increase of executive authority, I would respectfully recommend that this department of our State Government be invested with all the appointments and responsibilities which were conferred upon it by the Constitution, and which have been assumed by the Legislature, not only because it is due to the majesty of the law, but on account of the responsibility of the Executive to the whole people, and his more general

acquaintance with them, which qualifies him pre-eminently for the discharge of such duties; and it is an absurdity, in my opinion, for a legislative body consisting of so many members, whose duty it is to make laws, to assume the powers and responsibility of electing officers for counties and districts in which the majority of them have no acquaintance, and to the inhabitants of which they owe no responsibility; and especially is it unwise for a Legislature to consume its time, and distract its deliberations, with elections which properly belong to another department.

Every possible encouragement should be given to institutions of learning, whether the common school or college; they are the corner stones of our free Government. Education is the foundation of every enjoyment of man in this world, and of hope of blessing in the world to come;—and I am happy to say that our own State already exhibits some of the improvements in schools and modes of instruction, which so peculiarly distinguish the present age.

It will be found that the present revenue is altogether inadequate to the expenditures of the State, and has been so for a number of years, until the Legislature have appropriated for the current expenses of the State Government \$719,784 61, of the School Fund, which should be replaced as early as practicable, and the future support of Government be provided for by an increase of the taxes, which may be very small, as the amount of taxable land is rapidly increasing.

The \$2,000,000 of stock in the State Bank of Illinois, and \$1,000,000 in the Bank of Illinois, which was authorized to be subscribed, has been taken, and the State bonds for three millions have been executed and delivered to the Fund Commissioners for that purpose. State bonds to the amount of \$2,204,000 have also been sold by the Fund Commissioners, on account of Internal Improvement, and \$1,000,000 has been issued and sold on account of the Illinois and Michigan canal; \$417,919 14 has been received on deposit from the United States out of its surplus revenue, (\$364,192 29 of which sum was, however, appropriated to and forms a part of the School Fund;) these sums together with the \$719,784 61 of the School Fund, and the sum of \$19,009 25 deficiency in the Treasury, on the 1st day of December, constitute the debt, by the State, and amount in the whole to \$6,558,601 57.

The dreadful ravages and baneful effects of intemperance are felt and acknowledged in our whole country. Christians, philanthropists, and statesmen, not only of this, but every part of the civilized world, are now engaged in exposing the extent and evils of this degrading and most alarming vice; and some of our sister States have undertaken, by legislative provision, to eradicate the evil from among them; and I would most respectfully and earnestly recommend the subject as one worthy of your serious consideration.

In taking leave of you, gentlemen, allow me to offer the assurances of my sincere good wishes and friendly feelings for every one of you, as well as for each of your predecessors. The violence with which I have been assailed by my political opponents, during the whole time I have been in office, has caused no rankling in my bosom. The plain manner in which I have felt it my duty to speak of what I sincerely believed to be the errors and abuses of the party now in power, I well knew, would bring their vengeance with all its force upon me; and had I loved ease and office more than my duty, I should have chosen a very different course. But I owe too strong a debt of gratitude to the people of Illinois, and hold the constitution and freedom of the country in too much esteem, ever to shrink from the discharge of any duty which their honor, interest, or safety, require of me.

In conclusion, allow me, gentlemen, to remind you of our obligations to Divine Providence, for the unusual share of health and for the abundant crops and improvements with which our State has been blessed during the last and present years. To secure a continuance of those blessings, and success to your labors as legislators, we must look to, and invoke the blessing of God, who holds the destiny of the world in his own Almighty hand, and who has said that nothing shall prosper which does not acknowledge HIM as its author.

JOSEPH DUNCAN.

VANDALIA, December 4, 1838.

On motion of Mr. Thomas,

Resolved, That the Editors of the following newspapers be permitted to occupy places within the Bar of the Senate, for the purpose of reporting the proceedings for their respective papers, viz:

"Vandalia Free Press, Illinois State Register, and Sangamon Journal."

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 5, 1838.

Senate met pursuant to adjournment.

Mr. Weatherford asked and obtained leave to introduce a bill, entitled "A bill for an act to change a part of a certain State road in Morgan county;" which was read the first time, and

Ordered to a second reading.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution, to wit:

Resolved by the House of Representatives, the Senate concurring herein, That a joint select committee of three on the part of the House, and two on the part of the Senate, be appointed to draft and report joint rules for the government of the two Houses, and have appointed Messrs. Ficklin, Robert Smith and Webb of Alexander, the committee on their part; in the adoption of which they ask the concurrence of the Senate.

I am also directed to inform the Senate that the House of Representatives are now ready to receive them in the Hall of the House, and proceed to canvass the returns for Governor and Lieutenant Governor of the State of Illinois. And he withdrew.

Whereupon, the Honorable the Senate, preceded by Mr. Speaker, repaired to the Representative Hall, and proceeded to canvass the votes

given for Governor and Lieutenant Governor of this State, (in conjunction with the House of Representatives;) when it appeared, (upon the counting the votes) from the returns of the different counties in this State, that Thomas Carlin had 30,573 votes for Governor; and Cyrus Edwards had 29,629 votes for Governor. For Lieutenant Governor, Stinson H. Anderson had 30,335 votes; William H. Davidson had 28,716 votes. And thereupon,

The Honorable the Speaker of the House of Representatives announced, in the presence of both branches of the General Assembly, the several aggregate number of votes, and that Thomas Carlin was duly elected Governor, and Stinson H. Anderson Lieutenant Governor of the State of Illinois for the ensuing four years. And the Honorable the Senate repaired to their chamber.

A message from the House of Representatives, by Mr. Prickett, their clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That a joint committee be appointed to wait upon the Honorable Thomas Carlin, and inform him of his election to the office of Governor; and upon Col. S. H. Anderson, and inform him of his election to the office of Lieutenant Governor of this State; and enquire of them at what time they will meet the two Houses for the purpose of taking their oaths of office; and have appointed Messrs. Flood, Calhoun and French, the committee on their part; in the adoption of which, they ask the concurrence of the Senate. And he withdrew.

Which resolution from the House of Representatives was then taken up; and,

On motion of Mr. Gatewood,

Was amended by adding the following, to wit:

"Resolved by the Senate and House of Representatives, That when the Governor and Lieutenant Governor elect meet the two Houses in the Hall of the House of Representatives, for the purpose of taking the oath of office required by the Constitution, that the Honorable the Judge of the District Court of the United States, and Justices of the Supreme Court of this State, and of the Circuit Courts, the Honorable Ex-Governors and Lieutenant Governors, be invited to a seat within the Bar of the Representative Hall; and that the Hon. Thomas C. Browne, Justice of the Supreme Court of Illinois, be requested to administer the oaths of office to those officers elect, respectively;" and,

On the question—"Shall this resolution, as amended, be adopted?"

It was decided in the affirmative.

Ordered, That Messrs. Hackelton and Turney be the committee on the part of the Senate, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 6, 1838.

Senate met pursuant to adjournment.

Mr. Hackelton, from the joint committee appointed to wait upon the Governor and Lieutenant Governor elect, reported: that they have performed that duty, and received for answer, that they will meet the two Houses, for the purpose of taking the oaths of office, on Friday, at two o'clock, P. M.

On motion,

The Senate adjourned until to-morrow, at 2 o'clock, P. M.

FRIDAY, DECEMBER 7, 1838.

Senate met pursuant to adjournment.

Mr. Peck, the Senator elect from the counties of Cook, Will and McHenry, appeared. Whereupon,

On motion of Mr. Hacker,

He was permitted to qualify and take his seat.

A message from the House of Representatives, by Mr. Prickett, their clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Hall of the House, when the oaths of office will be administered to the Governor and Lieutenant Governor elect, &c. And he withdrew.

And thereupon, the Senate repaired to the Hall of the House of Representatives; when, the Governor and Lieutenant Governor elect having been qualified into office by the Hon. Thomas C. Browne, Justice of the Supreme Court of the State of Illinois, the Governor delivered verbally, to both Houses of the General Assembly, the following address:

*Fellow-Citizens of the Senate,
and House of Representatives:*

It is with great diffidence that I assume the responsibilities devolving upon the Executive of this State; and while I regret that the choice of the people did not fall upon some more competent individual, I can only promise, in the discharge of the duties which my station enjoins, unremitting vigilance and my best exertions to maintain and promote the public welfare generally. In carrying out such measures as will be most conducive of, and subservient to, the various interests of the State, I shall confidently rely upon the joint wisdom and co-operation of this General Assembly.

Duly impressed with a sense of the solemn trusts which the partiality and kindness of my fellow-citizens have induced them to confide to my care, it is to me, as I doubt not it is to each of you, a source of infinite gratification to contemplate the present prosperous and happy condition of our State and the country generally.

The mighty energies and inexhaustable resources of the nation have enabled it, in a much shorter period than could have been expected, to overcome the pecuniary embarrassments and pressure occasioned by the mismanagement and over-action of the Banks. Specie payments have generally been resumed, confidence is restored, commerce and business have revived, and every circumstance affords convincing evidence of a season of prosperity and plenty. Amid the calamities and difficulties from which the country has just emerged, Illinois has been particularly fortunate. While the advancement and growth of other States have perhaps been retarded and checked, she has kept steadily on in the march of improvement, rapidly increasing in population and wealth, her enterprising and industrious citizens always reaping the richest rewards for their labor, and receiving the highest prices for every species of production and property. Her prospects are truly bright and flattering. Possessing in an eminent degree the advantages of navigation, blessed with a soil of almost unequalled fertility and admirably adapted to all the purposes of cultivation, with a surface inviting the construction of Internal Improvements, and inhabited by an enterprising and thriving population, with wise and judicious legislation, she will in a few years be second to no State in the Union.

The history of government, however, demonstrates that a system of legislation, to be efficient and salutary, must provide for the moral and intellectual as well as the physical condition of the community. The most effectual means for advancing the interests of the people, and developing the resources of a country, is the general diffusion of knowledge; this is true under all forms of government, but more especially in a republic. In order to maintain republican institutions, it is indispensably necessary that the community be sufficiently intelligent to comprehend their own rights and obligations and the fundamental principles of government. This can only be attained through the medium of an enlarged and comprehensive system of Common Schools; and to this subject I beg leave most respectfully, but most earnestly, to solicit your attention.

The School Fund of the State, exclusive of 16th sections, amounts to six hundred and fourteen thousand six hundred and seventy-seven dollars and thirty-eight cents, and provision has been made for distributing the interest arising from it among the various townships in a rateable proportion to the number of inhabitants.

Owing, however, to imperfections in the acts, or to the indifference of the people, but a limited portion of the townships have availed themselves of the advantages thus afforded.

I would, therefore, respectfully recommend that such a disposition be made of this fund as will amply secure the principal, and at the same time yield the greatest possible amount of interest, and that the various acts for establishing and maintaining a general system of Common Schools be carefully revised and amended.

There are few measures in which the people are more deeply interested than the faithful management of the banking institutions of the State. The regulation of Banks in general, is a question of the most perplexing and difficult nature---one which has baffled the exertions of the wisest and most profound statesmen both of this country and of Europe, and one which at present remains in a very unsettled and imperfect state.

The whole history of our Government, and especially the occurrences of the last few years, prove that the principles upon which the banking institutions of the United States have been chartered and conducted are radically and fundamentally defective. Under a judicious and well regulated Banking System, I am persuaded that no exigency or vicissitude that could possibly happen would render a general suspension of specie payments necessary. And such a measure, instead of being sanctioned by legislative enactments, should be carefully guarded against, and, when resorted to by the Banks, should be punished with the utmost rigor. All acts authorising such suspension, and relief laws in general, are so many acts legalising the violation of law and of moral obligation, and cannot fail to exert a pernicious and corrupting influence upon the morals of the people. Among the various defects in the Banking System, I regard the following as a few of the most prominent: the difficulty of exacting from them a strict and rigid compliance with the provisions of their charters and of compelling them by process of law to meet their various obligations and contracts---the impossibility of preventing them from using their power and influence to affect and control the politics of the country.

Another and perhaps more serious objection is, that they often confine their accommodations and loans to speculators and large dealers, to the exclusion of the more numerous classes of the community, who are, in turn, compelled to borrow of those individuals at an advanced and frequently enormous interest.

These being my sentiments in relation to Banks generally, I am of opinion that the deep interest the State has in those institutions as the depositories of its various funds, and in consequence of the large amount of capital it has invested in them, together with the interest the community for whom you are assembled to legislate must feel as the holders of their notes, would warrant you in enacting such penal statutes as would compel them to confine themselves strictly within their legitimate spheres of action, and in instituting, and from time to time repeating, such examinations into their condition and conduct as will most effectually prevent any abuse of their privileges, and secure the interest of the State and people.

The subject of Internal Improvements is one of absorbing interest to the people, and one which merits your most serious and patriotic consideration. The signal success which has attended our sister States in the construction of their extensive Systems of Improvements can leave no doubt of the wise policy and utility of such works. They open new channels of commerce and trade, furnish the farmer and mechanic the means of transporting the products of their labor to market, develop the natural and hidden resources of the country, and stimulate the enterprise and industry of the people.

In view of these great and numerous advantages, the General Assembly of this State, at its last regular session, adopted a general System of Improvements, to be constructed and owned exclusively by the State. In the principles and policy of this plan, contrasted with that of joint stock companies and private corporations, I entirely concur. Had I occupied my present situation at the establishment of this system, I would have recommended its adoption on a less extensive scale, and the construction of the most important works first. Under the present plan of proceeding, however, near two millions of dollars have been

expended, and whatever diversity of opinion may now exist as to the expediency of the system as originally projected, all must admit that the character and credit of the State forbid its abandonment. I shall therefore submit it for your consideration, and should you, in your wisdom adopt any modifications which will render it more useful and better suited to the condition and wants of the country, they will meet my hearty co-operation and approval; and whatever course may be pursued, I would recommend a rigid economy in the expenditure of the funds of the State.

The Illinois and Michigan canal is a subject of great importance to this State, and the country generally. No one measure would so directly and so materially advance the commercial, agricultural and manufacturing interests of the whole State as the completion of this stupendous work. The most liberal and enlarged course of legislation in regard to it should be uniformly pursued, and every prudent means employed to promote its vigorous prosecution and speedy completion.

The draining and improvement of the American Bottom, although a local measure, is one of a very laudable nature, and one which would materially advance the interest of that and the surrounding country. This and the improvement of the river bottoms, generally, merit the encouragement of the Legislature, either by memorializing Congress to donate the unsold lands lying within them, or in any other manner that may harmonise with the general interest of the State.

The question of the currency, which has so long agitated, and still continues to agitate, every portion of the Union, is one which so deeply involves all the great interests of the country, that it perhaps merits an allusion here. Upon this subject, and upon the policy of the late and present administrations of the United States Government in general, I differ greatly in opinion with my worthy and much esteemed predecessor. In relation to the currency, three distinct measures have been proposed—the continuance of the State Bank deposit system—the incorporation of a National Bank, and the establishment of an Independent Treasury.

The injuries and losses which have resulted to the Government and people by the failure of the State Bank deposit system, are sufficient to deter a considerate and prudent community from its longer continuance. This is so manifestly true that, throughout the whole extent of the country, but few advocates for this measure can be found, and even those few seem to advocate it for political effect and to subserve party purposes, rather than with any real expectation of its ultimate success. The final issue, therefore, seems to be between a National Bank and an Independent Treasury; and under these opposite measures, the two great political parties of the country have ranged themselves. It is truly astonishing, to my mind, that between these two measures an intelligent and enlightened public should hesitate. The incorporation of a National Bank, under any of the various forms which have been proposed, I should regard as among the greatest calamities that could befall a free people. The creation of such an institution, as the fiscal agent of the Government, would be unconstitutional, irrepublican and dangerous.

In relation to the unconstitutionality of this measure, I do not entertain the slightest doubt. The Congress of the United States is a body which owes its existence to, and derives all its powers from, the constitution. These powers are of two kinds: those which are expressly delegated, and those which are incidental and necessary to the exercise of delegated powers.

The power to incorporate cannot be regarded as an incidental, contingent power, to be derived by implication and construction, but as a distinct, independent substantive power, and one that as absolutely requires an express grant as

the power to declare war. That the constitution expressly delegates to Congress no such power, every individual who has ever read it must know.

These considerations afford to my mind conclusive evidence that this power was neither directly nor indirectly delegated to Congress by the constitution, and that, in the language of that instrument, it was reserved to the States respectively; and for that body to exercise it would be a manifest violation of the constitution and an act of flagrant usurpation. All acts of incorporation and charters creating monopolies, in granting exclusive privileges, operate unequally and unjustly upon the community, and tend to the establishment of fictitious and unnatural distinctions in society. The legitimate and inevitable effect of the privileges which have been extended to banking institutions, both by the National and State Legislatures, is to throw wealth and commercial influence into the hands of the few to the exclusion and injury of the many, and to create and perpetuate a moneyed aristocracy in the country, which is openly at war with equal, simple republican principles, upon which our Government was founded and should be administered.

An institution owned either by the Government or by individual stockholders, with the privilege of using and loaning the public moneys, and possessing capital, power, and resources sufficient to regulate the currency of the country, could not fail to prove dangerous and ultimately destructive to the rights and liberties of the people. A Government Bank would concentrate in the General Government an undue and perhaps fatal amount of power,—would give a new impulse to the tendencies to centralism and consolidation which are already sufficiently strong, and would entirely defeat the objects for which that Government was instituted. The plan of a private corporation upon such a scale is equally objectionable. The late United States Bank was measurably an institution of this kind, and its history should forever deter us from creating another. We have seen it violating the provisions of its charter, defying the authorities of the Government, interfering with the politics of the country, corrupting the public press, bribing the members of Congress, waging war upon the National Executive, and, by wanton panics and pressures, attempting to subdue the republican spirit of the people and coerce them into a submission to its recharter.

Such was the conduct of an institution of moderate capital and limited resources. What, then, have we not to fear from one of almost unlimited power? Every dictate of wisdom and experience forbids its establishment. The tremendous influence such a great central moneyed power could wield, would enable it not only to regulate the currency, but to control the entire commercial and political interests of the whole country, to render itself superior to the authority of the Government and people, to determine our policy at home and abroad, and dictate the terms of peace and of war. The present condition of the currency and the interests of the country generally seem to require the establishment of an Independent Treasury, and the collection and disbursement of the public revenue in specie. This measure, without increasing the influence of any department of the Government, or concentrating power any where, will be attended with the most beneficial results. It will dissolve the connexion between the Government and Banks—a connexion as unnatural and dangerous as the union of church and state—and amply secure the public funds, give to the General Government that degree of freedom and independence which was contemplated by the constitution, and, by creating a constant demand for specie, elevate the precious metals to a proper degree of importance, restrain the banks from over issues, insure a sound and uniform circulating medium, diminish the tempta-

tions to extravagant speculations, and effectually secure the people from a recurrence of revulsions and panics and pressures in the money market.

There are various other subjects pertaining to the general interest and policy of the State, which deserve your attention, some of which have been presented in the late communication of my predecessor; and others will present themselves during the progress of your legislation. I shall therefore conclude by reminding you that her condition seems peculiarly to require the vigilant and protecting care of the Legislature; and hope that all sectional prejudices and local interests may be merged in the general welfare, and that harmony and unanimity may characterize your deliberations, and that they may result in promoting the prosperity of the whole State.

THOMAS CARLIN.

VANDALIA, December 7, 1838.

When the Senate returned to their chamber, Stinson H. Anderson, Esq. Lieutenant Governor of the State of Illinois, appeared and having been conducted to the Chair, by Messrs. Davidson and Turney, addressed the Senate as follows:

Gentlemen of the Senate: In entering upon the discharge of the duties of the office of Lieutenant Governor of the State of Illinois, to which I have been elected, the constitution makes it my duty to preside over the deliberations of this body—a duty at once arduous and complicated in its nature—and one which I must confess I engage in with unfeigned distrust.

But while I pledge my best abilities for the faithful discharge of the duties devolving upon me—permit me to ask the kind indulgence and assistance of the Senate, and to hope that our deliberations may be governed by that harmonious disposition so necessary to the advancement of the best interests of our common country.

The Senate then adjourned.

SATURDAY, DECEMBER 8, 1838.

Senate met pursuant to adjournment.

Mr. Ross asked and obtained leave to introduce the petition of sundry citizens of Pike county, praying for a resurvey of the State road from Atlas to Adams county line; and,

On motion of Mr. Ross,

The reading thereof was dispensed with, and the petition referred to a select committee.

Ordered, That Messrs. Ross, Browning, and Hackelton, be that committee.

On motion of Mr. Thomas,

Ordered, That five thousand copies of the Governor's address be printed for the use of the Senate.

Mr. Hamlin asked and obtained leave to introduce the petition of A. D. Garrett, to vacate the plat of Garrett's addition to the town of Peoria; and,

On motion of Mr. Hamlin,

The reading thereof was dispensed with, and the petition referred to a select committee.

Ordered, That Messrs. Hamlin, Thomas, and Turney, be that committee.

Mr. Butler asked and obtained leave to introduce the petition of sundry citizens of Knox county, praying for a change of a part of the State road leading from Peoria, in Peoria county, to Knoxville, in Knox county, and west to the county line of Warren; and,

On motion of Mr. Butler,

The reading thereof was dispensed with, and the petition referred to a select committee.

Ordered, That Messrs. Butler, Ross, and Richardson, be that committee.

On motion of Mr. Weatherford,

Resolved, That a committee of three be appointed to collect together the rules of the Senate and make report of the rules in force, with such alterations and additions as said committee may deem necessary.

Ordered, That Messrs. Weatherford, Davidson, and Hacker, be that committee.

Mr. Servant, from the select committee to which was referred the petition of a part of the citizens of Randolph county, praying a repeal of a portion of the State road from Salem to Chester, reported a bill, entitled "A bill for an act to vacate and change a part of the State road from Salem to Chester;" which was read the first time, and

Ordered to a second reading.

The message from the House of Representatives containing a resolution having for its object the appointment of a joint select committee to draft and report joint rules for the government of the two Houses, was then taken up;

And the question being put—"Will the Senate concur with the House of Representatives in the adoption of the same?"

It was decided in the affirmative.

Ordered, That Messrs. Thomas and Gatewood be the committee on the part of the Senate; and that the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

MONDAY, DECEMBER 10, 1838.

Senate met pursuant to adjournment.

Mr. Weatherford, from the select committee appointed to report the rules of the Senate, and such amendments as are necessary, report: that they have had the subject under consideration, and have agreed upon a set of rules for the adoption of the Senate, and herewith report them; which rules are as follows, viz:

RULES OF THE SENATE OF THE STATE OF ILLINOIS.

DUTIES OF THE SPEAKER.

1. He shall take the chair every day precisely at the hour to which the Senate shall have adjourned on the preceding day; shall immediately call the members to order; and, on the appearance of a quorum, shall cause the journal of the preceding day to be read.

2. He shall preserve decorum and order; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the Senate by any two members; on which appeal no member shall speak more than once, unless by leave of the Senate.

3. He shall rise to put a question, but may state it sitting.

4. Questions shall be distinctly put in this form, viz: "As many as are of the opinion that (as the case may be) say Aye;" and, after the affirmative voice is expressed, "as many as are of the contrary opinion, say No." If the Speaker doubt, or a division be called for, the Senate shall divide: those in the affirmative shall first rise from their seats, and afterwards those in the negative. If the Speaker still doubt, or a count be required, the Speaker shall name two members, one from each side, to tell the members in the affirmative; which being reported, he shall then name two others, one from each side, to tell those in the negative; which being also reported, he shall rise and state the division of the Senate.

5. The Speaker shall examine and correct the journal before it be read; he shall have a general direction of the Hall; he shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

6. All committees shall be appointed by the Speaker, unless otherwise specially directed by the Senate; in which case they shall be appointed by ballot; and if, upon such ballot, the number required shall not be elected by a majority of the votes given, the Senate shall proceed to a second ballot; in which a plurality of votes shall prevail; and in case a greater number than is required to compose or complete a committee shall have an equal number of votes, the Senate shall proceed to a further ballot or ballots.

7. In case of any disturbance or disorderly conduct in the lobby, the Speaker (or Chairman of the Committee of the Senate) shall have power to order the same to be cleared.

OF DECORUM AND DEBATE.

8. When any member is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat, and address himself to "Mr. Speaker," (not moving on the floor;) and shall confine himself to the question in debate, and avoid personality.

9. If any member, in speaking (or otherwise,) transgress the rules of the Senate, the Speaker shall, or any member may, call him to order; and in which case, the member so called to order shall immediately sit down, unless permitted to explain; and the Senate, if appealed to, decide on

the case, but without debate. If there be no appeal, the decision of the Chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the Senate.

10. When two or more members happen to rise at once, the Speaker shall name the member who is first to speak.

11. No member shall speak more than twice to the same question, without leave of the Senate; nor more than once, untill every member chooses to speak, shall have spoken.

12. While the Speaker is putting any question or addressing the Senate, no member shall walk out of or across the room; nor in such case, or when a member is speaking, shall entertain private discourse; nor when a member is speaking, shall pass between him and the chair.

13. Every member who shall be in the Senate when a question is put, shall give his vote, unless the Senate shall, for special reasons, excuse him.

14. When a motion is made and seconded, it shall be stated by the Speaker, or, being in writing, shall be handed to the Secretary, and read aloud before debate.

15. Every motion shall be reduced to writing, if the Speaker or any member desire it.

16. After a motion is stated by the Speaker, or read by the Secretary, it shall be deemed in the possession of the Senate, but may be withdrawn at any time before decision or amendment.

17. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged; and no motion to postpone to a day certain, to commit, or postpone indefinitely, being decided, shall be again allowed on the same day, and at the same stage of the bill, or proposition. A motion to adjourn shall always be in order, and shall be decided without debate; and a motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be deemed equivalent to its rejection.

18. No person shall be permitted to smoke in the Senate Chamber while in session.

19. After the Speaker has called the Senate to order on each day, there shall be no reading of newspapers or any other documents that do not immediately concern the business for which the Senate is convened.

20. The yeas and nays shall be taken, when requested by any two members present.

21. Every bill, which may be presented by any committee or member, shall be separately considered by the Senate, and shall not be passed into a law, until the same shall be read on three different days, unless, in case of urgency, three-fourths of the Senate shall deem it expedient to dispense with this rule.

22. It shall be the duty of the Secretary to keep a book, in which he shall seasonably record the motions, resolutions, rules, and decisions of the Senate; and to do and perform all such other acts appertaining to his office as may be required of him by the Senate or its presiding officer.

23. It shall be the duty of the Sergeant-at-arms to attend the Senate

during its sitting, to execute the commands of the Senate, from time to time, together with all such process, issued by authority thereof, as shall be directed to him by the Speaker.

24. All resolutions submitted for the consideration of the Senate shall lie on the table one day—unless two-thirds of the Senators present shall agree to dispense with this rule.

25. The following Standing Committees shall be appointed, with leave to report by bill otherwise:

A committee on Elections; on the Judiciary; on School Lands and Education; on Internal Improvements; on Internal Navigation; on Public Roads; on Canals and Canal Lands; on Finance; on Public Accounts and Expenditures; on Military Affairs; on Salines and Saline Lands; on Petitions; on Public Buildings and Public Grounds; and on the Penitentiary.

And upon the question being put—"Will the Senate adopt the rules as reported by the committee?"

It was decided in the affirmative.

The Speaker, in pursuance of a rule of the Senate, announced the following Standing Committees, viz:

On Elections—Messrs. Richardson, Parrish, Murray, Ross, and Gibbs.

On School Lands and Education—Messrs. Gatewood, Browning, Churchill, Davidson, Mills, and Butler.

On Internal Improvements—Messrs. Hacker, Gatewood, Peck, Wood, Mills, and Parrish.

On the Judiciary—Messrs. Davidson, Browning, Little, Harrison, Thomas, and Turney.

On Internal Navigation—Messrs. Herndon, Greer, Blackwell, Hamlin, Parrish, and Allen.

On Public Roads—Messrs. Borough, O'Rear, Murray, Nunnally, and Hunter.

On Canals and Canal Lands—Messrs. Thomas, Warren, Harrison, Stadden, and Mitchell.

On Finance—Messrs. Peck, Hacker, Blackwell, Johnson, and Herndon.

On Public Accounts and Expenditures—Messrs. Ross, Witt, Greer, Hamlin, and Monroe.

On Military Affairs—Messrs. Turney, Servant, Moore, Weatherford, Johnson, and Nunnally.

On Salines and Saline Lands—Messrs. Fithian, Gibbs, Hunter, O'Rear, Fletcher, and Gaston.

On Petitions—Messrs. Wood, Butler, Little, Warren, Weatherford, and Richardson.

On Public Buildings and Public Grounds—Messrs. Fletcher, Stadden, Allen, Servant, and Mitchell.

On the Penitentiary—Messrs. Churchill, Fithian, Gaston, Witt, and Borough.

On Enrolled Bills—Messrs. Hackelton and Monroe.

Mr. Speaker laid before the Senate a communication from George A. Rens, John B. Thomas, and William Peters, in relation to a contested election in Vermilion and Champaign counties; and,

On motion of Mr. Hacker,

The reading of the same was dispensed with; and referred to the committee on Elections.

Mr. Ross, from the select committee to which was referred the petition of the citizens of Pike county, praying for a re-survey of the State road from Atlas to the Adams county line, reported the following bill, to wit: "A bill for an act to re-locate a State road from Atlas, in Pike county, to the south line of Adams county;" which was read the first time, and

Ordered to a second reading.

Mr. Speaker laid before the Senate a communication from the Cashier of the State Bank of Illinois, as follows, viz:

STATE BANK OF ILLINOIS,

Springfield, November 19, 1838.

SIR: In accordance with a provision of the 12th section of an act of the General Assembly of Illinois, entitled "An act to increase the capital stock of certain Banks," &c., I have the honor to transmit you, herewith, to be laid before the Senate, a statement showing the condition of the Bank and its Branches, on the 19th day of the present month.

I am, very respectfully,

Your obedient servant,

N. H. RIDGELY, *Cashier.*

The Hon. the SPEAKER
of the Senate of Illinois.

Statement of the aggregate condition of the State Bank of Illinois and Branches, November 19, 1838.

Bills discounted	-	-	\$3,254,405 84	Capital Stock, viz:	-	\$2,100,000 00
Bills of exchange	-	-	704,235 10	Owned by the State	-	1,544,655 00
				Owned by individuals		\$3,644,655 00
Loans on real estate	-	-	\$3,958,640 94	Real estate fund	-	500,000 00
			472,671 50	Notes in circulation	-	2,673,255 00
State stocks, viz:				Discount, exchange, interest &c.	-	184,480 57
Bank and internal improvement stock	-	-	1,765,000 00	Unclaimed dividends	-	96,127 50
Illinois & Michigan canal stock	-	-	498,750 00	Surplus fund	-	34,332 58
				Fund commissioners of Illinois	-	481,891 07
Real estate	-	-	2,263,750 00	Illinois & Michigan canal com-	-	5,627 74
Personal property	-	-	44,295 78	missioners	-	268,569 00
Incidental expenses	-	-	1,738 91	Other banks	-	67,736 37
Other banks	-	-	9,311 62	Branch balances	-	315,654 05
State of Illinois	-	-	292,219 18	Individual depositors	-	
State of Illinois, (canal fund)	-	-	19,258 55			
Cash, viz:			350,000 00			
Notes of other banks	-	-	199,599 09			
Specie	-	-	660,843 31			
			860,442 40			
			\$8,272,328 88			\$8,272,328 88

N. H. RIDGELY, Cashier.

STATE BANK OF ILLINOIS,
Springfield, November 19, 1838.

Mr. Speaker laid before the Senate a communication from the State House Commissioners, as follows, viz:

VANDALIA, December 8, 1838.

MR SPEAKER: We have the honor to transmit to you our report, which you will please lay before the body over which you preside.

Very respectfully,

Your ob't servants,

A. G. HENRY,

A. JOB,

State House Commissioners.

REPORT OF THE STATE HOUSE COMMISSIONERS.

To the Honorable the Senate

and House of Representatives:

The undersigned, commissioners appointed by the Legislature to erect Public Buildings at Springfield, have the honor to submit the following

REPORT:

Your Commissioners have to regret that Dr. Hogan, the other Commissioner, declined accepting the appointment, thus depriving the Board of his judgment and experience.

On the sixth day of April, 1837, your Commissioners met, were qualified and proceeded to the discharge of the duties assigned them.

The first, and perhaps the most important subject for the decision of the Board, was the size and probable expense of the proposed building. The recent location of the seat of the State Government; the rapid and unexampled increase in our population; our steady progress to the high destiny every where predicted for us; and the spirit and enterprise of the State, seemed to render it imperative on the Board to construct a building, whose dimensions would meet the wants of the present generation, and whose construction and appearance correspond with the character and dignity of the State.

In arriving at a conclusion, the Board have not disregarded public opinion; on the contrary, they invited an expression of opinion from very many of those whose maturity of judgment and correctness of taste would entitle that expression to great respect. Every where, the Board has found a disposition for the erection of a building, permanent, strong, convenient, imposing in appearance, and ample in dimension; a building which should stand as an evidence to posterity, that the State, even in its infancy, cultivated a fine taste, and practised a wise economy. Such a building, the Board have endeavored to erect; and they trust that its progress, so far, is in accordance with this desire.

It is impossible, within the limits of a report, to enter into a detailed description of the building now in progress of erection. Its plan may be perfectly understood, by an examination of the profiles, estimates, &c., accompanying this report; and to which the Board have the honor to refer.

The Capitol, occupying the centre of a square, whose area is equal to near three acres, is designed to be 123 feet in length, 89 feet in width, and 44 feet in height, from the surface of the earth to the square of the build-

ing; which dimensions are exclusive of the porticos, which will project twelve feet on the north and south fronts. It is built thus far of solid cut stone, of which material it is contemplated to finish it.

The Board consider it fortunate for the interest of the State, that a quarry has been discovered within seven miles of the building, furnishing sufficient quantities of stone, of a very superior quality, both for durability and appearance; and of which exclusive use has been made, where stone has been required.

The basement story contains eight large rooms, suitable for offices; nineteen apartments for fuel and other purposes, and a fire-proof vault.

The first story comprises a Hall, extending the whole width of the building, thirty-two feet in width, and lighted from the dome: a room for the use of the Supreme Court, 40 by 50 feet; two rooms, 23 by 17 feet, suitable for Committee rooms; and three rooms, 40 by 24, intended for a Library and offices, each 16 feet in height.

The second story is intended to contain a Hall of the House of Representatives, 82 by 40 feet; a Senate Chamber, 40 feet by 50; each twenty feet in height, and lighted, in part, by lanterns from the roof. There are also eleven rooms, of a convenient size for Committee rooms, offices, &c.

The building is now about 16 feet in height, from the surface, having the masonry of the basement completed. There are also on hand quantities of stone, lumber, brick, and other materials; and we have now employed on the work thirteen experienced stone cutters, the most of whom have been upon the work for the last twelve months, and have given satisfactory evidence of their skill and industry.

To effect these results, the Board have drawn from the Treasury the sum of fifty thousand dollars, appropriated by the Legislature; in addition to which, they have received and expended three thousand dollars from the contingent fund, upon the order of the Governor, and they have incurred responsibilities, up to November 17th, to the amount of seven thousand seven hundred and eighty-two dollars. In addition to this, there will be due on the first of January next, about two thousand three hundred dollars.

In relation to the two last items—the amount drawn from the contingent fund, and the debt now due to individuals—the Board only deem it necessary to state, that able and experienced hands were procured with great difficulty, who had become versed in the routine of the business; to have discharged them, and to have recommenced operations with new and untried hands, would have been not only inconvenient, but would have involved the necessity of an increased expenditure—a consequence to be avoided, as well in public employment as in private enterprise. In conformity with these views, the Governor advanced the three thousand dollars above alluded to. Confident of their propriety, the Board incurred the debt previously spoken of; and they entertain no doubt their conduct, in this particular, will meet the approbation of the Legislature.

In relation to the mode of erection adopted by the Board, it is necessary to observe that the small amount of such work previously done in the State—the few persons among us acquainted with the quality and value of the work required—and the entire uncertainty as to where, and at what expense, the chief necessary material could be procured, were considerations which indicated to the Board the propriety and advantage of

constructing the work under the immediate superintendence of the Board, rather than by entering into contracts for the performance of a work, about which so little was known by experience.

The Board believe that, upon an examination of the work, it will be seen that this plan has secured better workmanship, at less expense, than would otherwise have been practicable.

The mode of expenditure, thus rendered necessary, has made it impossible to comprise, within the limits of this report, a detailed statement of the items of expense; and the Board beg leave, therefore, to tender, for the inspection of the Legislature, in any manner by them designated, their books and vouchers; which will produce ample testimony of the fidelity, and, they trust, the economy, with which they have discharged their duties.

From the foregoing account of the present state of the building, the necessity of an appropriation by the Legislature will be apparent.

Accompanying this report, is an estimate of the probable expense of completion, made by Mr. Rague, the able Architect, under whose immediate direction the work has heretofore progressed. This estimate has been made with a view to the past expenditure; and it is believed, therefore, will not materially vary from the actual expense to be incurred. By this, it will be seen that the sum of one hundred and twenty-eight thousand two hundred and eighty-two dollars will be required to finish the building, with the materials, and in the style at present proposed.

The unfinished state of the work, and its consequent exposure to the weather, are, in the opinion of the Board, reasons requiring an immediate appropriation. Should such an appropriation be made, the Board believe that the Capitol may be completely ready for the reception of the Legislature, at the period designated by law for its meeting at Springfield: and it may not be improper to remark that, should such appropriation be delayed, this result may be rendered doubtful.

We have the honor to be,

Very respectfully,

Your obedient servants,

ARCH'D JOB,
A. G. HENRY.

ESTIMATE OF ILLINOIS STATE CAPITOL.

13,203 feet of cut stone.

1,306 additions for doors and entablatures.

1,080 antæ caps, measured twice cross lower dia.

1,679 pediments.

2,010 entablature of porticos.

2,704 columns, including flutes.

3,916 portico steps, (two feet girth.)

1,032 portico flagging.

176 stone caps to chimneys.

648 caps to columns.

428 coping and steps to enter casement.

28,182 feet of cut stone, and laid, at \$1 50,

\$42,273 00

203 perch of rough stone foundation of porticos, and laid,	\$1,411 00
1,736 do. do. do. for cutting, at per perch, \$5,	8,680 00
281,000 bricks laid, at \$14,	3,934 00
18,000 feet, or 20,250 lbs., copper for roof, at 26c.	5,265 00
Workmanship of putting it on, per square \$4,	606 00
20,250 lbs. of freight and charges, at 5c.	1,012 50
519 lbs. nails, for same purpose, including carriage, 38c.	197 22
18,000 feet of 1½ inch board, = 27,000, at \$25,	675 00
12,000 feet of lumber for roof, at \$25,	300 00
Framing roof, cupola, ceiling, and planking roof,	2,450 00
Workmanship of 772 feet of corona and soffit,	1,930 00
2,244 lights of sash and glass glazed, at 58c.	1,301 42
3,048 lbs. of sash weights, at 7c.	213 36
260 pullies, at 37½c., and cords for same,	130 00
30,000 feet of flooring, = 45,000, at \$3,	1,350 00
Laying same, 194 squares, at \$5,	970 00
All the stairs, 168 steps, and materials, average \$10,	1,680 00
3,872 lbs. iron, for scarfing, anchors, truss rafters, &c. at 20c.	774 40
5,360 lbs. iron, for gates, or entrance to vestibule, 20c.	1,072 00
Plastering and stucco, with materials,	6,380 00
Painting 7,174 yards, at 35c., including materials,	2,511 00
Cast iron columns, stairs,	204 80
Carving 54 Corinthian and Ionic caps, at \$40,	2,160 00
Bases to same,	378 00
2,430 feet of flagging, hall and corridors of basement,	2,340 00
22,000 bricks, pavement of basement, at \$15,	330 00
9,000 lbs. nails, at 10c.,	900 00
762 pairs hinges and screws, average 18½c.	142 88
7,000 inch measure pine lumber, at \$50,	3,500 00
18,000 inch boards for deafening floors, \$2 25,	450 00
Carving gallery fronts, antæ caps, door pannels, &c.	775 00
16 bbls. plaster of Paris, at \$15, (not included in stucco)	240 00
12 bbls. hydraulic cement, and freight, at \$12,	144 00
Brass globe, and silk cord to hoist sash from 2d story,	25 00
8,000 feet of lumber for truss partition, at \$25,	200 00
Workmanship of trussing same, 32 squares, at \$5,	150 00
Carpenter's work (exclusive of the above) copied } from my bill of particulars,	6,420 00
Shops, machinery, scaffolding, ropes, blasting powder,	1,500 00
12 Dr. Knott's stoves at \$75,	900 00
Rostrums, seats, desks, &c. for Senate Chamber, } from 1,500, to 3,000, depending on the finish, say }	3,000 00
16 small stoves for committee rooms, at \$20, and tables,	480 00

109,545 58

10,954 52

10 per cent. for contingencies,

\$120,500 10

JOHN F. RAGUE, Arch't.

SPRINGFIELD, Nov. 8. 1838.

Mr. Browning moved the following resolution, which, according to a rule of the Senate, has to lay one day on the table, viz:

Resolved, That the Auditor of Public Accounts report to the Senate the amount of money received on the school and college funds, since the 12th December, 1836; the aggregate amount of the school, college, and seminary funds at this time; the amount of interest distributed among the several counties for school purposes, on the 1st day of January, 1838; and the amount to be distributed on the 1st day of January, 1839.

Mr. Gatewood moved the following resolutions; and,

On motion of Mr. Thomas,

The rule to lay on the table one day, was dispensed with, and said resolutions passed, viz:

1. *Resolved*, That the Governor be requested to communicate to this House the reports heretofore made to the Executive by the Board of Public Works.

2. *Resolved*, That the Auditor of Public Accounts be requested to communicate to this House the reports heretofore made to him by the Board of Fund Commissioners.

3. *Resolved*, That the Fund Commissioners be requested to inform this House, whether the three millions of dollars authorised to be borrowed by an act, entitled "An act to increase the Capital Stock of certain State banks," &c., and which is provided in said bill for the purpose of increasing the capital of the State Bank of Illinois, and of the Bank of Illinois, have been borrowed; and if so, whether any premium has been obtained on the sale of the State Bonds for the same: also, what amount of "Certificates of Illinois Internal Improvement Stock," have been sold by them, in what sums, at what premiums, if any, and whether for cash or any other thing: and also, that the Fund Commissioners be required to report to this House the amount of moneys paid to those counties through which no railroad or canal passes, specifying particularly the amount paid, if any, to each county: and also, that the Fund Commissioners report in what manner the unexpended balance of the money borrowed for the purpose of internal improvements is employed; whether placed in Bank upon special deposit, or used as a fund for Bank issues and loans: also, what sums have been drawn for by the Board of Public Works, and by each one of the Commissioners of Public Works; and that they specify, as far as practicable, the amount drawn for each one of the several works of internal improvement: also, what is the amount of compensation received by each one of the Board, for their services since their appointment to office, including all contingent expenses, if any: also, what is the number of clerks or other persons in the employ of the Board, and the compensation paid them.

4. *Resolved*, That the Board of Public Works be requested to report to this House, the progress and present condition of the several works of internal improvements committed to their charge, under the provisions of an act, entitled "An act to establish and maintain a general system of Internal Improvement;" what amount of work has been done on said works, specifying the amount as far as practicable done on each, and the amount of money expended on each of said works: also, the number of miles *let out* on each of the railroads mentioned in said bill, and on the great western mail route, designating the points of said roads where

said contracts have been let out: also, the probable cost of the work let out on each of said works, specifying the probable expense per mile of the railroads, and the great western mail route, so far as contracts have been made on the same: also, what is the ascertained length of each of said railroads, and of the great western mail route, specifying the distance between each of the points named in said bill: also, the estimated expense of constructing each of the same, if any estimates have been made by the engineers: also, what amount has been drawn from the Fund Commissioners by each one of the Board, and what aggregate amount has been expended by each one; that they designate for what purposes the money expended by them has been used, specifying the amount expended on each work, and the particular part of said work on which it was expended: also, what amount of railroad iron has been purchased, and its cost; what number of depots, offices, and other public buildings have been erected, or contracted to be built or purchased by them, and the cost or probable cost of each of the same, and where the same are situated: also, what number of boats, skiffs or other vessels have been built or purchased for the improvement of the navigation of the rivers named in said bill, and the cost of each of the same: also, what amount has been expended in the improvement of each of said rivers: also, what is the number and salary of the engineers, clerks and agents, now employed by the Board, and each one of the Commissioners, specifying how many are employed in each judicial district: also, what number of engineers, agents and clerks, have been employed by the Board, and each one of the Commissioners, since the creation of the system, their salaries and compensation: also, what number of engineering corps have been employed, and where employed: also, what is the amount of compensation received or claimed by each one of the Board for their services since their appointment to office: also, what is the aggregate amount of money paid or due to the Commissioners, engineers, agents, and all other persons employed by the Board, and each one of the Commissioners, including the amounts paid for the outfit of the engineering corps, and all other expenses incurred in examining, surveying, and locating the railroads, and the great western mail route; and also the aggregate amount paid or due, as last aforesaid, in each one of the judicial circuits, and specifying the particular items for which the money has been expended, specifying the district in which each item of expense accrued, and in which each engineer, agent, clerk or hand is employed, giving the comparative cost of the contract on the different roads; and, in answering each of these inquiries, designate districts, and, also, the amount of damages already recovered from the State for the "right of way" in the different districts; together with the number of suits now instituted and undetermined against the State for the "right of way:" also, the number of members of the General Assembly who have been receiving a salary from said Board, designating the employment and the amount of the salary: also, the quantity of land purchased for the State by said Board, and the cost of the same, including the depot lands, stating the location of the same, and the probable value at this time: also, what is the amount of contingent expenses of the Board, and of each one of the Commissioners; and what items, if any, are embraced under the term of contingent expenses: also, what branch railroads have been ordered to be made by the Board, their length, the estimated

cost of construction, and estimated cost of depots, cars, and appendages necessary for the same: also, what number of acres of land have been entered by the Board for the State, their cost including expenses of examination and survey, and, also, the estimated value of the same at this time.

5. *Resolved*, That the Secretary of the Senate make out a copy of each of the foregoing resolutions, and deliver them, respectively, to the Governor, the Auditor of Public Accounts, the Board of Fund Commissioners, and the Board of Public Works.

6. *Resolved*, That the Board of Commissioners of Public Works be required to report to this General Assembly, in addition to the call hereinbefore made, the time of continuance in office of any of the engineers, and their pay when they have left the service; whether any persons in the pay of the State have become contractors, and whether any person, either Commissioner or Engineer, has purchased land or town property within five miles of any railroad, while in the pay of the State and before the location of any road: also, that they state, if lands have been purchased by Commissioners for the State, to what fund the money applied is charged: also, that the said Board inform the House what amount of scrip is on hand, and what was originally received from the Fund Commissioners, and what amount has been expended, keeping a distinct account of lands entered with scrip and other funds: that the said Board also be requested to furnish the Senate with the description of the lands bought, if any, as aforesaid: also, the number of tracts of land donated by individuals to the State of Illinois, and their value: also the cost of the survey and location of the Alton and Shawneetown railroad from Shawneetown to Equality, and the time employed in said survey, as near as can be ascertained.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolutions, viz:

Resolved by the Senate and House of Representatives, That our Senators and Representatives in Congress be requested to procure the passage of a law or resolutions, by Congress, at its present session, directing a survey of the navigable waters of the northern and western lakes, together with the navigable rivers flowing into, connecting, and flowing out of the same, as soon as may be compatible with the convenience of the War Department; and that a chart be made of the same for the benefit of the commerce of those lakes.

Resolved, That the Governor be requested to transmit copies of these resolutions to each of the Senators and Representatives in Congress from the State of Illinois; in the adoption of which, they ask the concurrence of the Senate. And,

Upon the question being put—"Will the Senate concur with the House of Representatives in the passage of the resolutions?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Churchill, on leave of the Senate, presented the petition of Benjamin L. Dorsey, in relation to the Penitentiary; which was read, and

On motion of Mr. Churchill,

Referred to the committee on the Penitentiary.

Mr. Gatewood offered the following resolution, which, by a rule of the Senate, lies one day on the table, viz:

Resolved, That the committee on the Penitentiary be instructed to inquire into the causes of the frequent escapes of prisoners from the Penitentiary; and that they report by bill or otherwise.

Mr. Monroe asked and obtained leave to introduce a bill, entitled "An act to make the office of School Commissioner elective by the people;" which was read the first time, and

Ordered to a second reading.

Mr. Nunnally offered the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the committee on Education be instructed to present to the Senate a bill having for its object the distribution of the school, college, and seminary funds, together with the amount of the surplus revenue appropriated to school purposes to the different counties of this State, making a basis for the distribution of the late vote given for Governor in the different counties until 1840, when a new distribution can be made, agreeably to the census then to be taken; and afterwards every five years a new distribution in accordance with the census; embracing the necessary guards and restrictions for the safety of the principal and the prompt application of the interest to school purposes.

Mr. Peck asked and obtained leave to introduce a bill for an act entitled "An act to authorize limited partnerships;" which was read the first time, and

Ordered to a second reading.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A bill for "An act to change a part of a certain State road, in Morgan county," was read a second time, and

Ordered to be engrossed for a third reading.

A bill for "An act to vacate and change a part of the State road from Salem to Chester," was read a second time, and

On motion of Mr. Wood, was

Laid upon the table.

Mr. Ross presented the petition of sundry citizens of Pike county, praying for a law to authorize them to levy and collect a tax on real estate, for common school purposes, in township 3 south 3 west; and,

On motion of Mr. Ross,

The reading thereof was dispensed with, and referred to the committee on Education.

Mr. Monroe asked and obtained leave to introduce a bill, entitled "An act for the relocation of the State road from Charleston to Springfield;" which was read the first time, and

Ordered to a second reading.

Mr. Thomas, from the joint select committee appointed to draft joint rules for the government of the two Houses, made the following report:

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

1. In every case of amendment of a bill agreed to in one House, and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall, at a convenient hour, to be agreed upon by their Chairman, meet at some convenient place, and state to each other verbally, or in writing, as either shall choose, the reason of their respective Houses for and against the amendment, and interchange propositions for modifications to meet the sense of the two Houses, and confer freely thereon.

2. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the Door-keeper, and shall be respectfully communicated to the Chair, by the person by whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Senate.

4. Messages shall be sent by such persons as a sense of propriety in each House may determine to be proper.

5. After each House shall have adhered to their disagreement, a bill or resolution shall be lost.

6. While bills are on their passage between the two Houses, they shall be under the signature of the Secretary or Clerk (as the case may be) respectively.

7. After a bill has passed both Houses, it shall be enrolled before it is presented to the Council of Revision.

8. When bills are enrolled they shall be examined by a joint committee of two from the Senate and three from the House of Representatives, appointed as a standing committee for that purpose; who shall carefully compare the enrolled bills with the engrossed bills so passed by the two Houses, correct any errors which may be discovered in the enrolled bills, and make their report, forthwith, to their respective Houses—the Secretary or Clerk having previously certified on the margin of the roll in which House it originated.

9. After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, and then by the Speaker of the Senate.

10. After a bill shall have been signed by the Speakers of both Houses, it shall be presented by said committee to the Council of Revision for their approbation. The said committee shall report the day of presentation to the Council of Revision; which time shall be carefully entered on the journal of each House.

11. All resolutions and memorials, which are to be presented to the Governor, shall be previously enrolled, examined, signed, and presented by the same committee, reported, and an entry thereof made, as provided in case of bills.

12. When a bill or resolution, which shall have passed one House, is rejected in the other, information thereof shall be given to the House in which the same shall have passed.

13. When the consideration of any bill, memorial, or resolution, which has originated in one House, shall be postponed, in the other House, to a day so distant that it will not be taken up at the present session, the House in which such bill, memorial, or resolution, shall have originated, shall be forthwith informed of such postponement.

14. When a bill, memorial or resolution, which has passed one House is rejected in the other, it shall not again be introduced during the same session, without a notice of three days, and leave of the House in which it shall be renewed.

15. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

16. All joint elections shall be in the Hall of the House of Representatives, and the members shall vote *viva voce*, except where the Constitution has provided otherwise; and when the election is by joint ballot, the Speaker shall appoint one member of each House as tellers; and in all cases, a majority of the votes given shall be requisite to constitute an election.

17. Whilst the two Houses are acting together upon elections or otherwise, questions of order shall be decided by the Speaker of the House, subject to an appeal to both Houses, as though but one body was in session. A call of the members of either House may be had in joint meeting, by order of the House in which the call is desired.

18. Motions to postpone or adjourn shall be decided by joint vote of both Houses; and the yeas and nays upon such motions, if required, shall be entered upon the journal of both Houses.

19. Upon questions arising requiring the separate decision of either House, the Senate shall withdraw until the decision is made, provided that a question upon motions for calls of either House shall not come within the provisions of this rule.

20. Each House shall have the liberty of ordering the printing of bills, messages, and reports, without the consent of the other.

And upon the question being put—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 11, 1838.

Senate met pursuant to adjournment.

Mr. Richardson asked and obtained leave to introduce the petition of the President, Directors and Co., of the Rushville Railroad Company, praying an alteration in their charter, and

On motion of Mr. Richardson,

The reading thereof was dispensed with, and referred to the committee on Internal Improvements.

Mr. Harrison asked and obtained leave to introduce the petition of sundry citizens of Rock Island and Mercer counties, praying for the continuation of the State road terminating at the bridge across Pope creek,

in Knox county, to the bridge across Edwards river, in Mercer county, and thence to Stephenson, in Rock Island county; and,

On motion of Mr. Harrison,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Harrison, Richardson, and Thomas, be that committee.

Mr. Richardson asked and obtained leave to introduce the petition of sundry citizens of Schuyler county, praying a change of a part of the State road leading from Rushville to Commerce; and,

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Harrison asked and obtained leave to introduce a bill, entitled "An act to incorporate the Mechanic Association and Galena Beneficial Society;" which was read the first time, and

Mr. Monroe moved to lay said bill on the table until the fourth day of July next; which was decided in the negative, yeas 3, nays, 36.

Those who voted in the affirmative, are,

Messrs. Little, Monroe, and Turney—3.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Hunter, Johnson, Mills, Mitchell, Moore, Murray, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Servant, Stadden, Thomas, Warren, Weatherford, Witt, and Wood—36.

And on the question being put—"Shall the bill be read a second time?"

It was decided in the affirmative.

Mr. Gatewood moved for adoption the following resolution, which, by a rule of the Senate, lies on the table one day:

Resolved, That the committee on Education be instructed to inquire into the expediency of repealing all laws and parts of laws which authorize the sale of the 16th sections, appropriated for the use of schools; and, also, that the same committee be instructed to inquire into the expediency of causing the proceeds of sales of the 16th sections to be reinvested in other lands in the same townships, respectively, where the lands aforesaid have been sold; and that they report by bill or otherwise.

Mr. Johnson moved for adoption the following resolution, which, by a rule of the Senate, lies one day on the table, viz:

Resolved, That the Auditor and Treasurer are hereby requested to report to the Senate, at as early a time as practicable, the amount of the annual appropriations for the contingent fund of the State; the entire amount of appropriations for the last four years; the amount paid to each individual who has received any part of the same, together with the name of such individual, the date when such payments were made, and wherefore they were so paid: also, whether vouchers are on file for all moneys so paid out; and what amount of said fund, if any, is yet on hand.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure an appropriation sufficient to put all the unsurveyed lands in the State of Illinois under immediate contract, and that they urge on the Commissioner of the General Land Office the necessity of prompt attention to this subject, in order that the numerous settlers thereon may be enabled to procure the lands on which they reside.

Resolved, That the Governor of the State be requested to forward a copy of the foregoing resolution to each of our Senators and Representatives in Congress, and to the Commissioner of the General Land Office.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

Mr. Fletcher, from the committee on Public Buildings and Public Grounds, to which was referred the report of the commissioners of the State house, reported the following bill: "A bill for an act making appropriations for the completing and furnishing of the State house at Springfield;" which was read the first time, and

Ordered to a second reading.

Mr. Peck moved for adoption the following resolutions, viz:

Resolved, That as a testimonial of respect to the memory of the Hon. Peter Pruyn, recently a member of this House, now deceased, the members of this House will wear the usual badge of mourning for thirty days; that the unanimous condolence of this House in the melancholy bereavement of the family of the Hon. Peter Pruyn, under the affliction of his loss, be communicated to them.

Resolved, That the Secretary of the Senate inform the House of Representatives hereof.

Resolved, As a further testimonial of respect to the memory of the deceased, that the Senate adjourn until to-morrow.

On motion of Mr. Ross,

The rule of the Senate was dispensed with;

And on the question being put—"Will the Senate adopt the resolutions?"

It was decided in the affirmative.

And the Senate adjourned.

WEDNESDAY, DECEMBER 12, 1838.

Senate met pursuant to adjournment.

Mr. Richardson asked and obtained leave to introduce the petition of sundry citizens of the military tract, praying the location of a State road from McComb, via Belford Post office, in Warren county, to a point on the Mississippi river opposite Burlington, in Iowa Territory; also a road from McComb, via Laharpe, in Hancock county, to Appanoose, in said county.

Mr. Little moved that the reading be dispensed with, and the same be referred to a select committee.

Mr. Gatewood moved to amend said motion so as to refer the same to the committee on Roads.

And on the question being put on Mr. Gatewood's motion,

It was decided in the affirmative.

Mr. Hunter moved for adoption the following resolution, which, by a rule of the Senate, lies one day on the table, viz:

Resolved, That the committee on Salines be instructed to inquire into the expediency of selling the Saline lands in Bond county, and report by bill or otherwise.

Mr. Fithian moved for adoption the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Elections be instructed to report a bill providing for the payment of costs in cases of contested elections coming before this body at its present session, and to provide for the payment of costs when the seat of any member of the General Assembly of the State of Illinois may hereafter be contested.

Mr. Parrish moved for adoption the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Seminaries, School Lands and Education, be requested to inquire into the expediency of revising and amending the school laws of the State, so as to establish and maintain free schools in each entire township; and report by bill or otherwise.

Mr. Ross moved for adoption the following resolution, which lies one day upon the table, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of changing so much of the present system of Internal Improvements as is based upon the construction of railroads into good turnpike roads, or such portion of them as would best promote the agricultural interests of the State of Illinois; and that they report by bill or otherwise.

Mr. Gatewood moved for adoption the following resolution, viz:

Resolved, That the committee on Roads be instructed to report a bill of the following provisions:

SEC. 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly*, That, from and after the passage of this act, the county commissioners' courts of the counties in this State, respectively, shall have full power to alter, change, or modify, any and all public roads within their counties, respectively, and to lay out new roads within the same—any law or usage to the contrary notwithstanding; and,

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and the resolution taken up.

Mr. Monroe moved to amend the resolution, by adding the following, to wit:

Provided, That the county commissioners shall not have the power of altering or changing the point where a State road shall cross the line of their counties.

Mr. Thomas moved that the resolution, with the proposed amendment,

be referred to the committee of the Whole, and made the order of the day for to-morrow; which was decided in the affirmative.

Mr. Servant moved to take up a bill, laid upon the table some days since, entitled a bill for "An act to vacate and change a part of the State road from Salem to Chester;" which was taken up, and

On motion of Mr. Gatewood,

Referred to the committee on Roads.

Mr. Butler, from the select committee to which was referred the petition of sundry citizens of Knox county, praying for a change of part of the State road leading from Peoria, in Peoria county, to Knoxville, in Knox county, and west to the county line of Warren county, reported a bill for "An act to change a part of the State road from Peoria to Knoxville, in Knox county, and for other purposes;" and,

On motion of Mr. Gatewood,

The report, with the accompanying documents, was referred to the committee on Roads.

Mr. Hamlin asked and obtained leave to introduce a bill for "An act legalizing the assessment of property taken in the county of Peoria for 1838;" which was read the first time, and

Ordered to a second reading.

Mr. Murray asked and obtained leave to introduce a bill for "An act to extend the corporate power of the President and Trustees of the town of Belleville;" which was read the first time, and

Ordered to a second reading.

Mr. Thomas asked and obtained leave to introduce a bill for "An act to amend the several laws in relation to appeal bonds and the trial of appeals;" which was read the first time, and

Ordered to a second reading.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 13, 1838.

Senate met pursuant to adjournment.

Mr. Speaker laid before the Senate the following report of the Auditor of Public Accounts, viz:

To the Hon. the SPEAKER
of the Senate.

SIR: In pursuance of the 9th section of "An act to consolidate the acts relative to the Auditor and Treasurer, and election of Attorney General," I have the honor to submit to the General Assembly the following report.

I am very respectfully, sir,

Your obd't. serv't.

LEVI DAVIS,

Auditor of Public Accounts.

JOURNAL OF THE SENATE.

[Dec. 13.]

For balance on the 30th day of June, 1837	\$92 15	By amount deposited in the State Bank of Illinois, from the 30th day of June, 1837, to 1st December, 1838	\$126,715 05
For amount received from non-residents from the 30th day of June, 1837, to 1st day of December, 1838	12,077 49	By amount of interest allowed on State paper paid into the Treasury	89 64
For amount of redemption money received during same period	532 79	By amount of State paper burned	268 00
For amount received from revenue clerks	33,170 88		
For amount received from sheriffs	4,422 04		
For amount received from the commissioners of the school fund	26,200 00		
For amount received from the citizens of Springfield on their bond	33,333 34		
For amount received for debts due the old State Bank and Branches	169 00		
For amount received from the State Bank of Illinois, being half per cent. on her capital stock paid in	7,075 00		
For amount received from the State Bank of Illinois, being the semi-annual dividends, declared in the months of December, 1837, and June, 1838, on \$100,000 of stock owned by the State	10,000 00		
	<u>\$127,072 69</u>		<u>\$127,072 69</u>

Dr. *The State Bank of Illinois, in account with the State of Illinois.* Cr.

For amount due on settlement, the 30th day of June, 1837	\$289,669 51	By amount of warrants paid from 30th day of June, 1837, to 1st day of December, 1838	\$534,700 21
For amount deposited to the credit of the State, from the 30th day of June, 1837, to 1st day of December, 1838	226,021 45		
For amount to balance	19,009 25		
	<u>\$534,700 21</u>	1838.	<u>\$534,700 21</u>
		Dec. 1, By balance due the Bank this day	\$19,009 25

REDEMPTION ACCOUNT.

Amount of redemption money in the Treasury on the 30th day of June, 1837	\$1,647 92	Amount of redemption money paid out from 30th day of June, 1837, to 1st day of December, 1838	\$151 36
Amount of redemption money received from 30th day of June, 1837, to 1st day of December, 1838	532 79	Amount to balance	2,029 35
	<u>\$2,180 71</u>		<u>\$2,180 71</u>
Balance of redemption money in the Treasury on the 1st day of December, 1838	\$2,029 35		

Amount of warrants drawn upon the State Bank, from the 30th day of June, 1837, to the 1st day of December, 1838, for the current expenses of the State, and charged to the following account, viz:

Special appropriations	-	-	-	-	\$7,195 85
Interest on School, College, and Seminary Fund	-	-	-	-	37,630 58
Circuit attorneys	-	-	-	-	2,402 55
General Assembly	-	-	-	-	13,945 40
Money refunded	-	-	-	-	177 66
The Judiciary	-	-	-	-	15,924 97
The Secretary of State	-	-	-	-	1,575 60
The Militia	-	-	-	-	1,330 00
Incidental expenses	-	-	-	-	3,158 86
The Attorney General	-	-	-	-	423 84
Penitentiary Inspectors	-	-	-	-	140 00
Auditor of Public Accounts	-	-	-	-	3,100 00
The Treasurer	-	-	-	-	2,128 74
Warden of the Penitentiary	-	-	-	-	307 39
Appropriations to Counties	-	-	-	-	2,250 00
The Governor	-	-	-	-	1,447 26
Public Printing	-	-	-	-	10,594 43
Counties in the Military Tract	-	-	-	-	3,200 00
Taxes refunded on lands redeemed	-	-	-	-	142 37
Appropriation for State House at Springfield	-	-	-	-	38,000 00
Distribution of laws and journals	-	-	-	-	2,975 00
Incidental expenses of the Penitentiary	-	-	-	-	3,000 00
Superintendent of the Penitentiary	-	-	-	-	800 00
Appropriation for killing wolves	-	-	-	-	390 50
The Contingent Fund	-	-	-	-	6,565 70
Fund Commissioners	-	-	-	-	376,919 14
Interest on State paper stock redeemed	-	-	-	-	5 40
Redemption Money	-	-	-	-	151 36
State paper stock redeemed	-	-	-	-	40 00
Canal Fund	-	-	-	-	56 00

\$526,978 00

Amount due the Bank on the 30th day of November, 1838	19,009 25
To this sum, add the amount of outstanding warrants against the Bank, on the 30th day of Nov. 1838,	1,224 52

Balance against the Treasury on the 30th day of November, 1838,	\$20,233 77
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Present Resources of the State.

Amount due the State from the citizens of Springfield at this date	-	-	-	-	\$16,666 66
Amount due from Revenue collectors at this date	-	-	-	-	8,459 41
Amount due from Clerks on the first Monday of April, 1839,	-	-	-	-	34,849 63
Amount due from Sheriffs on the first Monday of March, 1839,	-	-	-	-	6,687 74
Amount due from the Bank of Illinois on the 1st January, 1839, (say)	-	-	-	-	6,981 01
Amount due from the State Bank of Illinois for half per cent. on amount of capital stock and semi-annual dividend on \$100,000 of stock due on 1st January, 1839, (say)	-	-	-	-	12,000 00
Total amount	-	-	-	-	<u>\$85,644 45</u>

A statement of the present condition of School, College and Seminary Fund.

Amount of School fund on the 30th day of June, 1837	-	-	-	\$257,235 07
Amount received into the Treasury on the 22d July, 1837	-	-	-	13,433 33
Amount received into the Treasury on the 26th January, 1838	-	-	-	8,416 66
Amount of Surplus revenue which was constituted a part of the School Fund by an act of the Legislature, approved 25th February, 1837	-	-	-	335,592 32
				<u>614,677 38</u>
Amount of College Fund on the 30th June, 1837,	51,450 99			
Amount received into the Treasury on the 22d July, 1837	-	-	-	2,666 66
Amount received into the Treasury on the 26th January, 1838	-	-	-	1,683 33
				<u>55,800 98</u>
Amount of Seminary Fund	-	-	-	49,306 25
Total am't of School, College and Seminary Fund				<u>\$719,784 61</u>

There has been no School Fund received from the General Government since the 26th day of January, 1838, and none received on account of the amount due for the years 1837 and 1838. What amount is now due, I am not in possession of the means of ascertaining; but as large quantities of the public lands have been sold within the two past years, the sum due the State must be considerable. About two weeks since, a patent was received from the General Government for eleven and one-half sections of Seminary lands, to complete the quantity granted in lieu of the township surrendered by the act of 1831. There is yet due the State seven sections, to complete the quantity of Seminary land granted by the act of Congress of 1818.

A Statement of the amount drawn from the Treasury, on account of the Contingent Fund, from June 30, 1837, to December 1, 1838.

1837.

July	1	To warrants to William James in full for 450 bushels of lime furnished for plastering lower rooms of the State house	\$90 00
"	7	To warrants to John F. Maddox in full for plastering two rooms of the State house for public offices	24 25
"	8	To warrants to A. and H. Lee in full for finishing the joiner work of one room in the State house for Supreme Court	220 00
"	13	To warrants to John D. Whiteside, Treasurer, in full for his expenses in going to and returning from Springfield, on official business	21 00
"		To warrants to John D. Whiteside in full for carrying writs of election to the counties of St. Clair, Madison and Monroe	5 00
"		To warrants to Winslow Pilcher in full for cleaning out Senate Chamber, and Hall of the House Representatives	25 00
"		To warrants to S. M. Bartlett in full for publishing Governor's proclamation offering a reward for the apprehension of certain fugitives from justice, and proclamation concerning canal lands	47 00
"	14	To warrants to S. H. Davis in full for publishing Governor's proclamation, and an act concerning trespasses on canal lands	36 00
"	19	To warrants to William Hodge in full for 500 copies "Free Press" containing the Governor's proclamation convening the Legislature, and also for work done in taking down and removing fixtures in Secretary's Office	31 00
"	21	To warrants to Enoch Luckey in full for his expenses in arresting Johnson, Arheart, and Elliott, prisoners who escaped from the jail of Madison county	15 00
"		To warrants to Levin Lane in full for his services as a messenger to the Governor of Indiana to demand a fugitive from justice	100 00
"	22	To warrants to William Reaves in full for his services as an express to the county of Adams with a writ of election	40 00
August	17	To warrants to Eleanor Hall in full for 100 bushels lime, furnished for plastering rooms in the State house, for the use of Treasurer and Clerk Supreme Court	20 00

August 29	To warrants to Abner Johnson in full for work done in finishing room in State house for use of the Treasurer -	
Sept. 2	To warrants to William Linn in full for plank furnished for lathing rooms in State house, for use of Treasurer and Supreme Court -	\$36 50
" 9	To warrants to Wm. Young in full for plastering rooms in the State house for the use of the Treasurer, &c. -	34 34
" 19	To warrants to Levi Davis in full for expenses in going to Edwardsville and Belleville on official business -	227 25
October 2	To warrants to Abner Johnson in full for his services as a messenger to the acting Governor at Carmi -	25 00
" 21	To warrants to L. O. Shrader in full for his services as an express to certain counties with writs of election -	36 00
"	To warrants to George H. Norris in full for publishing Governor's proclamation and act concerning trespasses on canal lands -	140 00
"	To warrants to Brooks & Co. in full for publishing Governor's proclamation convening Legislature -	25 50
"	To warrants to Stout & Johnson in full for binding laws and journals of Congress, &c. for Secretary's Office -	5 00
"	To warrants to James M. Morse in part for his services as a messenger to the Executive of Arkansas to demand a fugitive from justice -	350 50
Nov. 11	To warrants to B. Buckmaster in full for 1,000 shingles furnished for covering the cupola of the State house -	150 00
" 24	To warrants to Wm. L. Graves in full for work done for Secretary's office -	4 00
"	To warrants to John Hogan & Co. in full for freight and storage on cannon, &c. -	15 12
"	To warrants to Levi Davis in full for his expenses in going to Alton on official business -	57 10
Dec. 12	To warrants to Franklin Witt in full for his services in carrying delinquent lists to counties on the Military Tract -	20 00
" 22	To warrants to Abner Johnson and William L. Graves in full for work done on the cupola of the State house. -	35 00
" 25	To warrants to N. H. Ridgely in full for procuring an engraving for canal bonds, and 550 impressions of the same -	69 40
1838		433 00
Jan. 16	To warrants to Wm. Linn in full for lumber furnished for cupola of State house -	25 99

Jan	29	To warrants to Doolittle and Munson in full for State seal - - -	\$55 00
April	16	To warrants to J. M. Morse in full for his services and expenses in going as an express to the Lieut. and acting Governor at Carmi - - -	20 00
"		To warrants to E. J. Rice in full for his services and expenses in going to Jacksonville as an express to the Governor, by order of the Secretary of State - - -	18 00
"	26	To warrants to Johnson & Curlee in full for a door for the Supreme Court room in the State house - - -	16 00
July	2	To warrants to James M. Morse in full for services and expenses in going as a messenger to the Governor of Arkansas to demand H. Brackin, a fugitive from justice - - -	250 00
August	8	To warrants to the Commissioners of Public Buildings in full for an allowance made by the Governor to aid in building of the State house in Springfield - - -	3,000 00
October	3	To warrants to J. M. Lucas in full for publishing Governor's proclamation for the apprehension of Silas A. Rude and Jos. Evans, fugitives from justice - - -	15 00
"	16	To warrants to McConnel, Ormsbee & Co., in full for freight paid by them on cannon belonging to the State - - -	13 00
Nov.	3	To warrants to J. M. Morse in part of his account for plastering Legislative Halls, as per contract made by order of the Governor - - -	300 00
"		To warrants to Thomas B. Hickman in part for work done on the State house, as per contract made by order of the Governor - - -	300 00
"	6	To warrants to Wm. H. Olvey in part for painting the Senate Chamber and Hall of the House of Representatives - - -	30 00
"	13	To warrants to E. Capps in full for paints furnished for painting Senate Chamber and Hall of the House of Representatives - - -	45 75
"	23	To warrants to Thomas B. Hickman in full of his contract for work done on State house by order of the Governor - - -	65 00
"	27	To warrants to Wm. H. Olvey in full for painting Senate Chamber and Hall of the House of Representatives - - -	34 00
"	28	To warrants to R. Goudy in full for his services and expenses as a messenger from the Governor at Jacksonville to Vandalia - - -	40 00

Total amount of the Contingent Fund	-	-	<u>\$6,565 70</u>
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A Statement of the amount to be apportioned to the several counties on the 1st day of January, 1839, from the interest on the School, College, and Seminary Fund, for the year 1838.

Adams -	-	\$1,150 79	Madison -	-	\$1,342 65
Alexander -	-	334 74	Morgan and Cass -	-	3,098 03
Bond -	-	611 11	Monroe -	-	420 37
Clark -	-	555 44	Montgomery -	-	621 51
Cook -	-	1,305 88	Marion -	-	469 18
Crawford -	-	576 75	Macon -	-	501 83
Clinton -	-	425 20	McLean -	-	883 11
Coles -	-	870 59	McDonough -	-	475 52
Clay -	-	236 29	Mercer -	-	80 03
Champaign -	-	172 35	Macoupin -	-	904 65
Calhoun -	-	170 49	Pope -	-	594 81
Edgar -	-	1,135 19	Pike -	-	1,003 24
Edwards -	-	326 07	Peoria -	-	473 65
Effingham -	-	181 94	Perry -	-	368 81
Franklin -	-	922 37	Putnam and Bureau -	-	570 47
Fulton -	-	960 71	Randolph -	-	882 03
Fayette -	-	619 05	Rock Island -	-	87 37
Gallatin -	-	1,240 08	Sangamon -	-	2,881 46
Greene -	-	2,038 79	Saint Clair -	-	1,400 11
Hancock -	-	523 92	Shelby -	-	825 43
Hamilton -	-	469 39	Schuyler -	-	1,017 20
Iroquois -	-	186 47	Tazewell -	-	903 07
Johnson -	-	362 56	Union -	-	709 69
Jefferson -	-	587 94	Vermilion -	-	1,336 30
Jackson -	-	463 60	Wabash -	-	502 61
Jo Daviess -	-	492 01	Warren -	-	440 82
Jasper -	-	70 41	White -	-	1,003 06
Knox -	-	392 40	Washington -	-	510 68
Lawrence -	-	707 55	Wayne -	-	508 02
La Salle -	-	665 73			
			Total -	-	\$43,571 52

An estimate of expenditures on the part of the State, for the years 1839 and 1840.

1839.

The Judiciary	-	-	-	-	-	\$11,800 00
Secretary of State	-	-	-	-	-	1,100 00
Auditor of Public Accounts	-	-	-	-	-	2,400 00
State Treasurer	-	-	-	-	-	1,600 00
Attorney General	-	-	-	-	-	350 00
Circuit attorneys	-	-	-	-	-	1,500 00
Special appropriations for various expenses	-	-	-	-	-	5,000 00
Interest on school, college, and seminary funds	-	-	-	-	-	43,571 52
General Assembly, including stationery for same, printing and distributing laws, and paper for same, &c.	-	-	-	-	-	80,000 00
The militia	-	-	-	-	-	870 00
Incidental expenses	-	-	-	-	-	1,500 00
Incidental expenses of the Penitentiary, and salary of Inspectors	-	-	-	-	-	1,600 00
The Governor	-	-	-	-	-	1,000 00
Counties on Military tract	-	-	-	-	-	2,450 00
Wolf scalps	-	-	-	-	-	200 00
Contingent fund	-	-	-	-	-	4,000 00
Superintendent of Penitentiary	-	-	-	-	-	800 00
Total amount for 1839	-	-	-	-	-	<u>\$159,741 52</u>

1840.

The Judiciary	-	-	-	-	-	\$11,800 00
Secretary of State	-	-	-	-	-	1,100 00
Auditor of Public Accounts	-	-	-	-	-	2,400 00
State Treasurer	-	-	-	-	-	1,600 00
Attorney General	-	-	-	-	-	350 00
Circuit attorneys	-	-	-	-	-	1,500 00
Special appropriations for various expenses	-	-	-	-	-	5,000 00
Interest on school, college, and seminary funds, (say)	-	-	-	-	-	45,000 00
The militia	-	-	-	-	-	870 00
Incidental expenses	-	-	-	-	-	1,500 00
Incidental expenses of the Penitentiary, and salary of Inspectors	-	-	-	-	-	1,600 00
The Governor	-	-	-	-	-	1,000 00
Counties on the Military tract	-	-	-	-	-	2,450 00
Wolf scalps	-	-	-	-	-	200 00
Contingent fund	-	-	-	-	-	4,000 00
Superintendent of Penitentiary	-	-	-	-	-	800 00
Expenses of taking the census, (say)	-	-	-	-	-	10,000 00
Total amount for 1840	-	-	-	-	-	<u>91,170 00</u>
Add amount for 1839	-	-	-	-	-	<u>159,741 52</u>
Total estimate of expenditures for 1839 and 1840	-	-	-	-	-	<u>\$250,911 52</u>

The above estimates have been made with reference to the laws as they now exist. In the estimate of the expenses of the General Assembly, I have included every expenditure necessarily arising out of a session of the Legislature; and believe that my statement will not vary much from the true amount.

A statement of the quantity of Lands taxable in each county in the State for the years 1839 and '40, and the amount paid into the county and State Treasury for the year 1838.

Counties.	Amount of lands taxable in 1839.	Amount of lands taxable in 1840.	Am't paid into the county treasuries for the year 1838.	Amount paid into the State treasury for the year 1838.
Alexander -	34,237	35,096	\$328 53	\$157 30
Adams -	352,851	357,260	1,764 37	3,813 93
Bond -	53,193	54,593	658 24	118 03
Bureau -	33,280	33,280	-	483 25
Coles -	71,226	84,346	917 40	108 58
Clark -	44,327	46,707	545 46	100 45
Clay -	5,018	5,098	49 75	
Crawford -	61,859	62,511	883 66	140 67
Cook -	2,560	7,440	-	8 78
Calhoun -	105,428	105,548	-	1,465 00
Cass -	36,996	41,076	382 81	
Clinton -	42,303	43,713	370 60	180 81
Champaign -	19,730	26,326	235 44	
Effingham -	2,360	2,732	14 40	
Edgar -	110,459	116,499	1,323 04	226 09
Edwards -	37,906	39,030	348 49	86 24
Franklin -	22,593	23,033	262 65	52 79
Fulton -	270,120	270,120	1,283 92	3,132 56
Fayette -	26,456	27,436	287 17	62 61
Greene -	178,736	203,776	2,294 15	472 15
Gallatin -	152,626	154,266	2,511 18	147 70
Hancock -	314,367	314,628	-	4,510 68
Henry -	39,680	39,680	-	574 25
Hamilton -	12,009	12,609	134 92	540 92
Iroquois -	9,360	16,560	106 47	
Jackson -	57,111	57,765	446 96	288 91
Jefferson -	13,302	13,382	101 1	38 41
Johnson -	19,364	20,524	125 05	83 38
Jasper -	1,547	1,547	20 25	
Knox -	261,880	261,880	-	3,758 94
Lawrence -	78,720	80,820	946 09	176 25
La Salle -	12,538	15,685	167 60	5 14
McLean -	67,230	82,010	801 66	81 34
McDonough -	251,440	251,749	701 73	3,263 76
Macoupin -	64,507	112,469	535 93	26 45
Macon -	41,455	49,751	545 61	5 14
Mercer -	153,920	153,920		2,136 73
Monroe -	103,821	105,138	777 93	291 47
Marion -	6,400	6,440	43 86	
Madison -	196,384	215,06	2,277 92	1,092 12

TAXABLE LANDS—Continued.

Counties.	Amount of lands taxable in 1839.	Amount of lands taxable in 1840.	Am't paid into the county treasuries for the year 1838.	Amount paid into the State treasury for the year 1838.
Montgomery -	33,556	36,816	\$394 66	\$13 91
Morgan -	281,262	297,228	3,912 00	768 70
Putnam -	199,071	204,965	-	2,796 19
Pope -	28,970	29,530	430 47	65 64
Perry -	20,898	22,468	256 35	27 64
Peoria -	128,800	128,800	361 24	1,976 11
Pike -	273,652	281,732	1,021 29	2,914 47
Randolph -	116,165	117,716	1,424 85	1,005 88
Rock Island -	2,891	4,844	73 01	65
Saint Clair -	224,605	233,122	2,772 42	362 97
Shelby -	47,488	55,288	494 37	72 10
Schuyler -	220,938	223,104	836 86	3,363 02
Tazewell -	85,140	99,840	1,015 10	
Union -	45,848	46,331	624 66	93 72
Vermilion -	154,586	163,226	2,092 93	229 41
Sangamon -	335,097	364,332	4,683 78	475 63
Washington -	19,158	20,213	175 82	70 37
Wabash -	63,780	65,031	752 91	228 06
Warren -	390,680	390,840	927 37	5,064 75
White -	80,801	82,321	955 19	154 26
Wayne -	35,778	36,102	276 31	181 58
Will -	3,490	9,410	75 64	

In the foregoing statement of the amount of taxes paid into the county treasuries, a road tax, if any have been assessed, is not included, as I have no official knowledge of the same. I have endeavored in this report, to furnish the General Assembly with all such information as will enable them to act advisedly in relation to our revenue system. The period has arrived when an amendment of our revenue laws can no longer be postponed, without great injury to the State. The total amount of revenue, from taxes on lands under the present system, amounts to about \$46,000; and from the Banks, for bonus and dividends on stock, to about \$21,500; making, in all, the sum of \$67,500. These are the only sources of revenue which the State possesses, except the school fund, which ought not to be regarded as a legitimate source of revenue.—There is no probability that, under existing laws, the revenue of the State will increase. In the years 1835 and 1836, large quantities of land were entered, both by residents and non-residents, for purposes of speculation; and should these lands still remain in the hands of the original purchasers at the time when they become taxable, the State revenue would undoubtedly increase, (were there no causes operating to diminish

the amount now received.) It is, however, a fact that the lands of non-residents are almost daily passing into the hands of residents; and the decrease of revenue from this cause will counterbalance any accession which it might receive from the causes above mentioned. It may, therefore, safely be assumed that the revenue of the State, under existing laws, will not increase. On the 1st day of January next, the sum of \$43,571 52 must be paid out of the State Treasury for the interest on the school, college and seminary fund; and the expenses of the Legislature for the present session may be assumed (including all incidental expenses) at \$80,000. These two expenditures alone form the sum of \$123,571 52, a sum nearly twice as large as the annual revenue of the State. From the estimates above submitted, there cannot be a doubt that there is an imperative necessity for a new and improved revenue system; and while it is believed that there is sufficient wisdom and intelligence in the present Legislature to frame a well regulated system of finance, and one which will yield a revenue adequate to all the wants of the State, it is, at the same time, believed that no labor will be spared on their part which may be necessary to frame such laws as will produce these desirable results. Any further information which the Legislature may desire (in my power to give) or any suggestion which my experience in the situation which I have for several years past held, may enable me to afford, either in the principles or details of a revenue system, will be most cheerfully given. The foregoing remarks are submitted with all deference to the wisdom of the Legislature, and in accordance with what I conceive to be my duty.

LEVI DAVIS, *Aud. Pub. Acc'ts.*

AUDITOR'S OFFICE, ILLINOIS,
Vandalia, Dec. 12, 1838.

The reading of the report,

On motion of Mr. Hacker,

Was dispensed with, and ordered to lie on the table and be printed for the use of the Senate.

Mr. Speaker laid before the Senate a report from the Treasurer, as follows, viz:

TREASURER'S OFFICE,
Vandalia, December 11, 1838.

SIR: In compliance with the law requiring a report from the Treasurer, I have the honor to submit to the General Assembly, the following statement, showing the amount received at the Treasury, monthly, from the various sources of revenue, from the 1st day of July 1837, to the 30th day of November, 1838, inclusive; also, the amount deposited in the State Bank and Branches, old State paper burned, &c. All of which is respectfully submitted.

I am, very respectfully,

Your obedient servant.

JOHN D. WHITESIDE,
Treasurer.

To the Hon. the SPEAKER of the Senate.

CR,
BY AMOUNT DEPOSITED IN THE STATE BANK OF ILLINOIS AND BRANCHES—OLD STATE PAPER BURNED, &c.

	Certificates of Deposit—(in Bank.)	-	-	-	-	-	\$17,027 39
July,	Certificates of Deposit—	-	-	-	-	-	4,887 15
August,	Certificates of Deposit—	-	-	-	-	-	518 80
September,	Certificates of Deposit—	-	-	-	-	-	17 60
October,	Amount of interest on Old State Paper,	-	-	-	-	-	852 69
November,	Certificates of Deposit—	-	-	-	-	-	24 72
December,	Certificates of Deposit—	-	-	-	-	-	17,410 12
December, 1838	Certificates of Deposit—	-	-	-	-	-	7 38
January, 1838	Interest on Old State Bank Paper,	-	-	-	-	-	17,796 17
February,	Certificates of Deposit—	-	-	-	-	-	368 75
March,	Certificates of Deposit—	-	-	-	-	-	64
April,	Interest on Old State Bank Paper,	-	-	-	-	-	25,855 12
May,	Certificates of Deposit—	-	-	-	-	-	22,921 83
June,	State Bank Paper burned	-	-	-	-	-	96 00
July,	Certificates of Deposit—	-	-	-	-	-	1,317 28
August,	Certificates of Deposit—	-	-	-	-	-	1,085 32
September,	Certificates of Deposit—	-	-	-	-	-	477 15
October,	Interest on Old State Bank Paper,	-	-	-	-	-	7 59
November,	Certificates of Deposit—	-	-	-	-	-	14,829 97
December, 1838	Interest on Old State Bank Paper,	-	-	-	-	-	56 43
January, 1838	Certificates of Deposit—	-	-	-	-	-	232 00
February,	Certificates of Deposit—	-	-	-	-	-	4 80
March,	Certificates of Deposit—	-	-	-	-	-	172 00
April,	Old State Bank Paper burned	-	-	-	-	-	1,105 79
May,	Certificates of Deposit—	-	-	-	-	-	197,072 69

The reading whereof,

On motion of Mr. Servant,

Was dispensed with, and ordered to lie on the table, and be printed for the use of the Senate.

Mr. Blackwell moved for adoption the following resolution, which, by a rule of the Senate, lies one day on the table, viz:

Resolved by the Senate, That the Auditor of Public Accounts be requested to communicate to the Senate, as soon as convenient, all the information in his office relative to the \$50,000 loan obtained by Springfield, in conformity to a law of the last session of the General Assembly, to aid said town in the erection of the new State House, showing where the money was obtained, in what amounts, how much is still unpaid, and whether the bond given by the citizens of said town to the Governor for said loan, has been complied with.

Mr. Gatewood proposed the following resolution for adoption, which lies one day on the table:

Resolved, That the Speaker of the Senate shall have power, from time to time, to direct the Sergeant-at-arms as to the mode of discharging his duty; and, also, that he have power to remove or discharge the Sergeant-at-arms for any gross misconduct or indecorous deportment while in the discharge of his official duties.

Mr. Browning moved for adoption the following resolution, viz:

Resolved, That the Auditor of Public Accounts communicate to the Senate all reports which have been made to him by the School Commissioners of this State, under the provisions of an act, entitled "An act to amend the several acts in relation to common schools," approved March 4, 1837; and

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and the resolution was taken up and adopted.

Mr. Hacker offered for adoption the following, which lies one day upon the table, viz:

Resolved by the General Assembly of the State of Illinois, That two thousand copies of the Journals of each House of the present General Assembly be printed for the use of the State.

Mr. Hamlin offered for adoption the following resolution, which lies on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of providing, by law, some mode whereby securities of sheriffs, coroners, justices of the peace, and constables can be liberated from continuing securities of such officer, where there shall be evident danger of their being made liable by the illegal or improper acts of said officer.

The resolution, that the Auditor of Public Accounts report to the Senate the amount of money received on school and college funds since the 12th day of December, 1836, was then taken up, and

On motion of Mr. Thomas,

Was amended by striking out "12th December, 1836," and inserting the "14th of July, 1837."

The resolution as amended was then adopted.

The resolution relative to escapes from the Penitentiary, was taken up and adopted.

The resolution relative to the distribution of the school, college, and seminary funds, was taken up, and

On motion of Mr. Davidson,

Was referred to the committee of the Whole.

The resolution having for its object an inquiry into the expediency of repealing all laws, &c., in relation to the sale of 16th sections appropriated for the use of schools, &c., was taken up,

And upon the question being put on the adoption of the resolution,

It was decided in the negative—Yeas 14, nays 36.

Those who voted in the affirmative, are,

Messrs. Davidson, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hanlin, Harrison, Johnson, Mills, Mitchell, Parrish, Peck, and Stadden—14.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Herndon, Hunter, Little, Moore Monroe, Murray, Nunnally, O'Rear, Richardson, Ross, Servant, Thomas, Turney, Warren, Weatherford, Witt, and Wood—26.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the adoption of joint rules for the government of the two Houses.

They have unanimously adopted the following preamble and resolutions, viz:

It having pleased Divine Providence to remove from his earthly existence, Doctor William G. Reddick, a member elect of this House:

Resolved, That the members of this House will wear the usual badge of mourning for thirty days.

Resolved, That this House do sincerely condole with his afflicted relatives on their melancholy bereavement.

Resolved, That the Clerk of the House inform the Senate of the adoption of the foregoing resolutions.

Resolved, That in testimony of respect to the memory of the late Doctor Wm. G. Reddick, the House do now adjourn. And he withdrew.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Speaker laid before the Senate the following communication from the Governor of the State of Illinois, which was laid upon the table:

EXECUTIVE DEPARTMENT,

Vandalia, December 13, 1838.

SIR: A resolution of the Senate of the 12th instant, calling on me for the reports heretofore made to the Executive Department by the Board of Public Works, has been laid before me; in answer to which I have the

honor to state, that all the reports made to my predecessor by the said Board have been laid before the House of Representatives; and as soon as that body have any action upon them, I shall take great pleasure in laying them, as well as the report that I shortly expect from the Board, before the Senate.

The report which is now in progress, I am informed, will embody all the information sought to be obtained, and furnish a complete and detailed statement of their transactions.

I have the honor to be, sir,

Your obedient servant,

THOMAS CARLIN.

To Hon. the SPEAKER of the Senate.

Mr. Speaker laid before the Senate the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, ILLINOIS,
Vandalia, Dec. 13, 1838.

SIR: In compliance with the resolution of the Senate requesting the Auditor of Public Accounts "to communicate the reports heretofore made to him by the Board of Fund Commissioners," I have the honor to submit the enclosed copies of all said reports.

I am sir, your obedient servant,

LEVI DAVIS, Aud. P. A.

To the Hon. the SPEAKER of the Senate.

JUNE 1, 1838.

In pursuance of the 2d section of the act to establish and maintain a system of Internal Improvement, the undersigned, Fund Commissioners, respectfully report:

That a requisition was made upon them by the Board of Commissioners of Public Works, on the 7th day of April last, for two and a half per cent. of the amount appropriated for railroads, &c.

To enable the Board of Commissioners of Public Works to commence the surveys as early as practicable, it was necessary that immediate provision should be made for an amount of funds sufficient to procure the necessary camp equipage, provision, &c., as well as for the purchase of instruments—also, to enable them to secure valuable lands on the routes of some of the contemplated railroads, by entries at the land office.

Some difference of opinion existing relative to the construction of the several laws appropriating the surplus revenue, we were induced to make a temporary loan of the State bank, and accordingly borrowed, for thirty days, twenty thousand dollars, of that institution. After taking the opinion of several legal gentleman, and learning that the same opinion was entertained by the Auditor of Public Accounts, which coincided with that of our own relative to the construction of those acts, we drew an order upon the Auditor for fifty thousand dollars; which was paid, and the amount deposited to our credit in the State bank for the purposes contemplated by the law.

We add that the amount of drafts drawn by the Board of Commissioners of Public Works, and paid by us previous to this time, is \$17,000.

Respectfully submitted.

THOMAS MATHER,
CHARLES OAKLEY,

Fund Commissioners.

LEVI DAVIS, Esq. *Auditor Public Accounts,*
Vandalia.

FUND COMMISSIONER'S OFFICE,
Springfield, Dec. 1, 1838.

SIR: The act to establish a general system of Internal Improvement requiring that the Fund Commissioners make quarterly reports to you, the undersigned, in pursuance of that provision, beg leave to report:

That since they had the honor of forwarding you their report of the 1st June, they have for the most part of the time been absent from the State on business connected with their official duties, and for a considerable part of the time have been separated from each other. For these reasons they did not report to you on the 1st September. They beg leave therefore now to embrace the whole of their operations for the last six months in one report.

The State Bank and the Bank of Illinois having accepted the proposition of the Legislature for an increase of their capitals, the amount directed to be invested in the stock of those institutions by an act entitled "An act concerning the surplus revenue," was subscribed and paid to the State Bank for two thousand three hundred and fifty-six shares,—two hundred and thirty-five thousand six hundred dollars: and on account of the subscription to the Bank of Illinois, one hundred thousand dollars.

Soon after the adjournment of the special session of the Legislature, the Commissioners proceeded to New York for the purpose of effecting a loan for the payment of the remainder of the subscription of the State to the banks, as well as for means for the prosecution of the several works of Internal Improvement. After advertising in several of the newspapers of that city, that bids would be received for loans for both of these purposes, they were much disappointed, on the arrival of the day fixed for opening the bids, to find that no offers were made.

They had hoped that, notwithstanding other States had failed to procure means for similar purposes, our State might find more favour with capitalists. No disposition being manifested by them to take our bonds, an amount sufficient to pay the balance due and to become due to the banks, was offered to those institutions at par, viz: to the State Bank one thousand seven hundred and sixty-five bonds of \$1,000 each, and to the Bank of Illinois, nine hundred bonds of the same denomination. This offer has been accepted by both banks. Subsequently, and after many efforts on the part of the Commissioners to dispose of a portion of the Internal Improvement bonds, they succeeded in selling to James Irwin, one thousand bonds of \$1,000 each; to Nicholas Biddle, one thousand bonds, and to Hall & Hudson, one hundred bonds, all of the same denomination; making in all twenty-one hundred thousand dollars, (\$21,00,000) at par. They also sold to Boorman & Johnson, one

hundred bonds of the same amount at five per cent. premium. The two last mentioned sales were for cash, on delivery of the bonds; the first two are to be paid for, in sums of one hundred and fifty thousand dollars each, per month. The amount of drafts of the Board of Public Works paid since the first day of June, is one hundred and twenty-one thousand and fifty-six dollars and thirty-one cents, (\$121,056 31.)

All of which is respectfully submitted.

THOMAS MATHER,
CHARLES OAKLEY.

LEVI DAVIS, Esq. *Auditor Public Accounts.*

MARCH 5, 1838.

The undersigned, Fund Commissioners, beg leave to report: That during the last quarter they have executed and delivered the bonds which had been contracted for at their last report. To accomplish this, Mr. Oakley proceeded to New York in January, and delivered the whole amount as specified in that report. He also disposed of four bonds of one thousand dollars each, to M. Levy at par.

The balance due on the supscription of stock to the State Bank and Bank of Illinois has been paid in bonds agreeably to the contract as heretofore reported. The amount of stock now owned by the State in the first named institution is two millions one hundred thousand dollars, and in the latter one million.

For the purpose of disposing of the exchange, and that the funds may be realized here as they shall be wanted, they have agreed with the Bank of Illinois and the State Bank to dispose of checks at the best rate of exchange, allowing them one-half per cent. on the amount disposed of, as a commission for their services.

THOMAS MATHER,
M. M. RAWLINGS,
Fund Commissioners.

To the *Auditor Public Accounts.*

JUNE 4, 1838.

In pursuance of the provision of the 2d section of the act to establish and maintain a general system of Internal Improvement, the undersigned, Fund Commissioners, beg leave to present their quarterly report:

At the meeting of their board in March, an order was passed directing the removal of their office (which had been temporarily at Springfield) to Vandalia, previous to the meeting of the Board of Public Works in June. In compliance therewith the books and papers appertaining to the office have been removed to this place, and Williamson Gatewood, Esq. appointed secretary to the Commissioners.

Nothing has transpired relating to the business of the office which merits particular notice. The business has been confined exclusively to paying the checks of the Internal Improvement Board, and making arrangements for the payment of interest on the State bonds, a half yearly instalment of which becomes due on the 1st July.

The whole amount paid up to the 1st instant, upon the checks of the Board of Commissioners of Public Works, is three hundred and two thousand nine hundred and forty dollars and seventy-seven cents.

Respectfully submitted.

THOMAS MATHER,
CHARLES OAKLEY,
Fund Commissioners.

To the Auditor Public Accounts, Vandalia.

Which was read, and

On motion of Mr. Murray,

The report, with the accompanying documents, was laid upon the table, and

Ordered to be printed for the use of the Senate.

Mr. Allen offered for adoption the following preamble and resolutions, viz:

It having pleased Divine Providence to remove from his earthly existence, Doctor Wm. G. Reddick, a member elect of the House of Representatives of the State of Illinois:

Resolved, That the members of this House will wear the usual badge of mourning for thirty days.

Resolved, That this House do sincerely condole with his afflicted relatives on their melancholy bereavement.

Resolved, That, in testimony of respect to the memory of the late Doct. Wm. G. Reddick, the House now adjourn.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, and the resolution adopted. The Senate was adjourned.

FRIDAY, DECEMBER 14, 1838.

Senate met pursuant to adjournment.

Mr. Ross presented the petition of sundry citizens of Pike county, praying certain relief for the securities of James Davis, clerk of the county commissioners' court of Pike county; which was read, and,

On motion of Mr. Ross,

Referred to the committee on the Judiciary.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolutions, viz:

Resolved by the House of Representatives, the Senate concurring herein, That our Senators in Congress be instructed, and our Representatives requested, to use their exertions to secure the passage of a law granting to the volunteer militia in the late war with great Britain, and the Indian tribes, a bounty in land.

Resolved, That we most cordially believe it due from the Government to the soldiers, to give them a home on the land which their valor has maintained; in the adoption of which, they ask the concurrence of the Senate. And he withdrew.

Mr. Nunnally presented the petition of sundry citizens of Edgar and Clark counties, asking for a change of the Chicago road in said counties; and,

On motion of Mr. Nunnally,

The reading of the same was dispensed with, and referred to the committee on Roads.

Mr. Nunnally presented the remonstrance of sundry citizens of Edgar county, remonstrating against any change in the Chicago road, in said county.

On motion of Mr. Nunnally,

The reading of the same was dispensed with, and referred to the committee on Roads.

Mr. Hacker moved for adoption the following resolution, viz:

Resolved, That the standing rules of the Senate requiring resolutions to lie one day on the table, be so modified as not to apply to resolutions proposing inquiries by committees, and resolutions calling for information from any of the officers of State; and,

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the resolution taken up for consideration; and,

On the question—"Shall the resolution be adopted?"

It was decided in the negative.

On motion of Mr. Thomas,

Ordered, That the report of the Auditor and Treasurer be printed, together, in pamphlet form; and that four hundred copies be printed for the use of the Senate.

Mr. Servant moved for adoption the following resolution, viz:

Resolved, That so much of the late and present Governors' messages as refers to banks, banking, and the currency, be referred to the committee on Finance; so much as refers to the militia, to the committee on Military Affairs; so much as refers to internal improvements, to the committee on Internal Improvements; and so much as refers to education, to the committee on Education; and

Mr. Servant moved that the rule of the Senate which requires resolutions to lie on the table one day, be dispensed with; which was not agreed to.

Mr. Gatewood offered for adoption the following resolution, which lies on the table one day, viz:

Resolved, That the Inspectors of the penitentiary be required to report to the Senate the condition of the penitentiary fund, and its application, since the passage of the act authorizing them to deposit in the branch of the State Bank at Alton; and, also, to afford to the Senate such information as they may possess, as will explain the cause of the frequent escapes of the prisoners from the penitentiary.

Mr. Hacker asked and obtained leave to introduce a bill, entitled "An act for the safe keeping of runaway slaves and servants;" which was read the first time, and

Ordered to a second reading.

The resolution offered by Mr. Johnson, relative to the contingent fund, was then taken up, read, and adopted.

The resolution offered by Mr. Hunter, in relation to salines and saline lands in Bond county, was taken up, read, and adopted.

The resolution offered by Mr. Fithian, to provide for the payment of costs in cases of contested elections, was taken up, and

Mr. Hacker moved to lay the resolution on the table; which was not agreed to.

Mr. Browning moved to amend by inserting after the word "instructed," the following: "to inquire into the expediency of," and by altering the word "report to reporting;" which was accepted as a modification, and the resolution as amended was adopted.

A message from the House of Representatives, by Mr. Ryan, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following preamble and resolutions, viz:

In order that the laws and journals of the present General Assembly may be ready for distribution amongst the several counties of this State as early as possible:

Resolved by the House of Representatives, the Senate concurring herein, That both branches of the General Assembly convene in the Hall of the House of Representatives, at two o'clock, P. M., on this day, in order to elect a public printer.

Ordered, That the Clerk inform the Senate thereof, and ask their concurrence therein. And he withdrew.

The resolution offered by Mr. Parrish, relative to the expediency of revising and amending the school laws of this State, &c., was taken up, read, amended by striking out the word "entire," and adopted.

The resolution offered by Mr. Ross, relative to the expediency of changing the present system of internal improvements, &c, was taken up, read, and adopted.

The resolution offered by Mr. Blackwell, relative to the \$50,000 loan obtained by Springfield, &c., was taken up, read, and,

On motion of Mr. Thomas,

Amended by striking out the word "loan," and insert "appropriated."

The resolution as amended was then adopted.

The resolution offered by Mr. Gatewood, in relation to the Sergeant-at-arms, was read, and,

On motion of Mr. Gatewood,

Laid upon the table.

A resolution offered by Mr. Hacker, in relation to the journals of the present General Assembly, was taken up, and read.

Mr. Thomas moved to lay the same on the table; which was not agreed to.

Mr. Davidson moved to amend by striking out "public printer;" which was decided in the affirmative.

Mr. Thomas moved to strike out 2,000 and insert "1,000," which motion was lost; and the resolution as amended was adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

The resolution offered by Mr. Hamlin, in relation to the securities of sheriffs, coroners, justices of the peace, and constables, was taken up, read, and adopted.

A bill, entitled "An act to make the office of school commissioner elective by the people," was read the second time, and

On motion of Mr. Gatewood,

Was referred to the committee of the Whole, and made the order of the day for some day after Monday next.

A bill for "An act to authorise limited partnerships," was taken up, and

On motion of Mr. Thomas,

The reading of the same was dispensed with, read the second time by its title, laid upon the table, and

Ordered to be printed.

A bill for "An act to relocate the State road from Atlas, in Pike county, to the south line of Adams county," was taken up, and read the second time, and,

On motion of Mr. Ross,

Referred to the committee on Roads.

A bill, entitled "An act for the relocation of the State road from Charleston to Springfield," was taken up, and read the second time, and,

On motion of Mr. Richardson,

Referred to the committee on Roads.

A message from the House of Representatives, by Mr. Cloud:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution, in which they ask the concurrence of the Senate:

Resolved by the General Assembly of the State of Illinois, That the Legislature of the State of Indiana be requested to pass a law at its present session, declaring at what point the State of Indiana will meet the State of Illinois, at the line dividing the two States, in the construction of the easterly ends of the Northern Cross railroad, and the Alton and Shelbyville railroad, in Illinois, to the end that the State of Illinois may meet the State of Indiana in the construction of the said work, and their continuation to the intersection of the Erie and Wabash Canal, in Indiana; and, also, that the Legislature of Indiana provide, in said act, that, if the State of Illinois deem it proper to construct such connection from the State line to the said canal herself, and on her own account, the right of way for such construction be indefeasibly granted to her, *provided* said State of Illinois elect to do so during the present session of her Legislature. And he withdrew.

On motion of Mr. Hacker,

The orders of the day were dispensed with, and the message from the House of Representatives last received, was taken up for consideration.

Mr. Hacker moved to add the following, as an additional resolution, which was adopted, to wit:

Resolved, That the Governor be requested to transmit the above resolution to the Governor of the State of Indiana, with a request to lay the same before the Legislature of that State, now in session.

Mr. Thomas moved to strike out all after the words "and also," in the thirteenth line; which was not agreed to.

And the question being put—"Will the Senate adopt the resolution as amended?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment thereto.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 15, 1838.

Senate met pursuant to adjournment.

A message from the Governor, by A. P. Field, Esq. Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And then he withdrew.

Mr. Borough moved for adoption the following resolutions, which, by a rule of the Senate, lie on the table one day:

Resolved, That the committee on the Judiciary be required to inquire into the expediency of revising all the laws of Illinois, of a general nature.

Resolved, That the committee aforesaid be required to inquire into and report upon the expediency of selecting three competent persons, not members of this General Assembly, to do the work.

Resolved, That said committee be further required to inquire into the expediency of repealing all laws, or parts of laws, of a general nature, which shall not be embodied in the laws so revised.

Mr. Allen offered the following resolution for adoption, which lies on the table one day, viz:

Resolved by the Senate, That the committee on Roads be requested to inquire into the expediency of revising and amending the road law, and printing of it in pamphlet form, so that each Supervisor can have a copy.

Mr. Murray moved for adoption the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Elections be instructed to inquire into expediency of so amending the election law as to postpone the next election of members to Congress until after the next apportionment.

Mr. Hamlin, from the select committee to which was referred the petition of A. O. Garrett, to vacate the plat of Garrett's addition to the town of Peoria, reported a bill, entitled "A bill for an act to vacate the survey and plat of Garrett's addition to the town of Peoria;" which was read the first time, and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Ryan, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following preamble and resolutions, viz:

Whereas, By an ordinance adopted by this State, at the time she became a member of the Union, it was provided and agreed with the United States, among other things, that one-sixth of three-fifths of five per cent. of the nett proceeds of all lands sold in this State should be, by the Legislature, exclusively bestowed on a College or University; and it was

further provided and agreed by said ordinance, that two entire townships of land should be reserved for the use of a seminary of learning, and vested in the Legislature of this State, to be appropriated solely to the use of such seminary; and it was further provided and declared, that said ordinance should not be revoked without the consent of the United States; *and whereas*, it is the opinion of this General Assembly, that it would be more beneficial to the people of this State, now and hereafter, if the above specified funds should be appropriated for the use of common schools: Therefore,

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested, to use their exertions to procure the consent of the United States to the revocation of so much of said ordinance as confines the appropriation of the above funds for the support of a college or university, and a seminary of learning, so that the same may be applied by the Legislature for the support of common schools; and that the Governor be requested to transmit a copy of this preamble and resolution to each of our Senators and Representatives in Congress. In the adoption of which they ask the concurrence of the Senate.

They have also adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That our Senators in Congress be and they are hereby instructed, and our Representatives requested, to use their best exertions to procure, at the present session of Congress, the passage of a law by that body, establishing a permanent system of pre-emption rights, by which the actual settler upon the lands of the Government of the United States shall have the exclusive privilege of purchasing, at Congress price, any quarter section of land upon which he may have made an improvement; and that the Governor be requested to transmit to each of our members of Congress a copy of these resolutions, properly certified. In the adoption of which they also ask the concurrence of the Senate.

They have likewise adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That each House will meet in the Hall of the House of Representatives on the 18th instant, at 2 o'clock, P. M. for the purpose of electing State's Attorneys for the several judicial circuits of this State, and also an Attorney General. In the adoption of which they ask the concurrence of the Senate.

They have concurred with the Senate in their amendment to the resolution from the House, in relation to the termination of the Northern Cross railroad, &c. And he withdrew.

Mr. Speaker laid before the Senate the following communication from the Cashier of the Bank of Illinois, to wit:

BANK OF ILLINOIS,
Shawneetown, Dec. 11, 1838.

SIR: In compliance with the 12th section of the act, entitled "An act to increase the capital stock of certain Banks, &c.," I have the honor herewith to furnish you with a full and complete statement of the condition and financial operations of this Bank and Branches, on the 1st instant.

I remain, very respectfully,

Your most obedient servant,

JOHN SIDDALL, *Cashier.*

Hon. S. H. ANDERSON,

*Lieut. Governor, and Speaker of the Senate,
Vandalia, Illinois.*

Bills discounted	-	-	-	\$1,005,568	84	Capital stock owned by the State of Illinois	\$1,000,000	00
Bills of exchange	-	-	-	78,850	61	Capital stock owned by individuals	288,400	00
Illinois Bank and internal improvement stock	-	-	-	500,000	00	Notes in circulation	712,204	00
Due from other banks	-	-	-	517,121	58	Treasurer of the United States	40	00
Real estate, &c.	-	-	-	11,331	91	Fund commissioners	309,996	27
Incidental expenses	-	-	-	28,874	55	Unclaimed dividends	404	00
Cash, viz:						Individual deposits	74,998	60
Notes of other banks	-	-	\$82,772	00		Due to other Banks	108,665	62
Specie	-	-	306,708	05		Discount, exchange, and interest	32,029	53
						Surplus fund	4,489	52
				389,480	05			
							\$2,531,227	54

E. E.

JOHN SIDDALL, Cashier.

BANK OF ILLINOIS,
Shawneetown, December 1, 1838.

Which was read, and,

On motion of Mr. Browning,

Laid upon the table and ordered to be printed.

Mr. Speaker announced that the communication just received from the Governor, was upon executive business; and the doors were closed; and, On opening of the doors,

Mr. Speaker laid before the Senate the following communication from the Auditor of Public Accounts, to wit:

AUDITOR'S OFFICE, ILLINOIS,
Vandalia, Dec. 14, 1838.

SIR: In answer to the resolution of the Senate relative to the appropriation for building a State House in the town of Springfield, &c., I have to state that said appropriation was drawn from the State Treasury, at the dates and in the amounts following, viz:

1837.	April	22	-	-	-	\$4,000 00
	May	25	-	-	-	3,000 00
	June	30	-	-	-	5,000 00
	Aug.	5	-	-	-	5,000 00
	Aug.	29	-	-	-	3,000 00
	Sept.	4	-	-	-	2,000 00
	Sept.	23	-	-	-	3,000 00
	Oct.	11	-	-	-	1,500 00
	Nov.	2	-	-	-	1,000 00
	Nov.	15	-	-	-	1,500 00
	Dec.	11	-	-	-	3,500 00
1838.	Jan.	6	-	-	-	5,000 00
	March	29	-	-	-	6,000 00
	April	24	-	-	-	2,000 00
	May	28	-	-	-	2,000 00
	June	14	-	-	-	2,500 00
						<hr/>
						\$50,000 00

The donation of \$50,000, to meet the above mentioned appropriation, was secured by bond, payable in three equal instalments, at six, twelve and eighteen months. The two first instalments, amounting to \$33,333 34, has been paid; the last instalment, which was due on the 22d day of September last, amounting to \$16,666 66, is still unpaid.

I am sir, your obedient servant.

LEVI DAVIS, *Aud. P. A.*

To the Hon. the SPEAKER of the Senate.

Which was read, and,

On motion of Mr. Herndon,

Laid upon the table and ordered to be printed.

Mr. Speaker laid before the Senate the following communication from the Auditor of Public Accounts, to wit:

AUDITOR'S OFFICE, ILLINOIS,
Vandalia, Dec. 14, 1838.

SIR: In answer to the resolution of the Senate, relative to the school, college and seminary fund, I submit below a statement of the amount apportioned among the several counties from the interest on said fund, on the 1st day of January, 1838. The other information asked for by said resolution, is contained in my report, which I had the honor to submit on yesterday.

I am sir, your obedient servant,
LEVI DAVIS,
Auditor Public Accounts.

			Amount bro't up	\$15,339 53
Adams - - -	\$943	17	Madison - - -	1,100 89
Alexander - - -	272	20	Morgan and Cass - - -	2,544 24
Bond - - -	499	36	Monroe - - -	342 52
Clark - - -	453	58	Montgomery - - -	507 90
Cook - - -	1,070	60	Marion - - -	381 30
Crawford - - -	471	10	Macon - - -	409 11
Clinton - - -	348	00	McLean - - -	723 02
Coles - - -	712	72	McDonough - - -	387 86
Clay - - -	191	15	Mercer - - -	62 80
Champaign - - -	138	58	Macoupin - - -	741 03
Calhoun - - -	137	05	Pope - - -	496 50
Edgar - - -	931	06	Pike - - -	816 77
Edwards - - -	265	00	Peoria - - -	382 82
Effingham - - -	146	46	Perry - - -	299 15
Franklin - - -	755	22	Putnam and Bureau - - -	516 67
Fulton - - -	797	06	Randolph - - -	722 14
Fayette - - -	501	77	Rock Island - - -	68 70
Gallatin - - -	1,016	55	Sangamon - - -	2,365 90
Greene - - -	1,673	28	St. Clair - - -	1,148 64
Hancock - - -	428	17	Shelby - - -	670 22
Hamilton - - -	382	17	Schuyler - - -	833 00
Iroquois - - -	150	19	Tazewell - - -	740 10
Johnson - - -	295	18	Union - - -	588 40
Jefferson - - -	479	70	Vermilion - - -	1,096 07
Jackson - - -	381	29	Wabash - - -	409 33
Jo Daviess - - -	402	23	Warren - - -	358 50
Jasper - - -	54	24	White - - -	829 48
Knox - - -	319	52	Washington - - -	416 75
Lawrence - - -	578	66	Wayne - - -	414 60
La Salle - - -	544	27		
			Total amount	\$35,705 94
	\$15,339	53		

Mr. Hacker moved to dispense with the reading, and that the same be referred to the committee on Education; decided in the affirmative.

Mr. Servant asked and obtained leave to introduce a bill for "An act to amend an act, entitled 'An act for the relief of Nathaniel Pope and others;'" which was read the first time, and

Ordered to a second reading.

Mr. Peck asked and obtained leave to introduce a bill for "An act to repeal a part of the criminal code;" which was read the first time, and

Ordered to a second reading.

Mr. Churchill asked and obtained leave to introduce a bill, entitled "An act of incorporation for the Upper Alton Manufacturing Company;" which was read the first time, and

Ordered to a second reading.

Mr. Servant asked and obtained leave to introduce a bill for "An act to authorise the county commissioners' courts to loan out certain funds;" which was read, and

Ordered to a second reading.

Mr. Thomas asked and obtained leave to introduce a bill for "An act to amend the act, entitled 'An act to prevent trespasses by cutting timber,'" approved February 27, 1819; which was read, and

Ordered to a second reading.

Mr. Thomas asked and obtained leave to introduce a bill for "An act legalizing process issued by Judges and Justices of Probate;" which was read, and

Ordered to a second reading.

Mr. Turney asked and obtained leave to introduce a bill for "An act to amend the act, entitled 'An act declaring what shall be evidence in certain cases;'" approved January 10, 1827; which was read, and

Ordered to a second reading.

The message from the House of Representatives, last received, was then taken up; and the first resolution contained in said message was,

On motion of Mr. Thomas,

Referred to the committee on Education.

The second resolution, in relation to pre-emption rights, was,

On motion of Mr. Thomas,

Laid upon the table.

The third resolution, relative to the election of certain officers, was taken up.

Mr. Browning moved to amend the resolution by striking out so much as relates to State's Attorneys.

Mr. Hacker moved to lay the resolution, with the proposed amendments, on the table: decided in the affirmative.

The resolution offered by Mr. Servant, relative to the late and present Governors' messages, was taken up, read, and adopted.

The resolution offered by Mr. Gatewood, in relation to Inspectors of the Penitentiary, was taken up, and,

On motion of Mr. Hacker,

Laid on the table.

The engrossed bill, entitled a bill for "An act to change part of a certain State road in Morgan county," was read a third time, and,

On motion of Mr. Hacker,

Laid on the table.

On motion, the Senate adjourned.

MONDAY, DECEMBER 17, 1838.

Senate met pursuant to adjournment.

Mr. Nunnally presented the petition of the administrators of Andrew Henderson, deceased, asking for the passage of a law authorising them to sell certain lands; which was read and

Referred to the committee on the Judiciary.

Mr. Hamlin presented the petition of the county commissioners of the county of Peoria, in relation to the public square in Peoria.

On motion of Mr. Hamlin,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Richardson presented the petition of Adam Dunlap and others, citizens of Schuyler county, praying the location of a State road from Perry, in Pike county, via Versailles, to Rushville, in Schuyler county.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Roads.

Mr. Allen presented the petition of A. Withers and others, in relation to the alleys in the town of Bloomington; which was read and referred to the committee on Internal Improvements.

Mr. Gatewood presented the petition of the Iron Mountain Company of the State of Missouri, praying the construction of a railroad from St-Mary's landing, on the Mississippi river, to Pinckneyville, in Perry county.

On motion of Mr. Gatewood,

The reading of the same was dispensed with, and referred to the committee on Internal Improvements.

Mr. Thomas moved for adoption the following resolution, which, by a rule of the Senate, lies on the table one day, viz:

Resolved, That the Governor and Ex-Governors be respectfully invited to take seats within the Bar of the Senate, whenever it may suit their convenience.

Mr. Weatherford moved for adoption the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of so amending the law providing for a Board of Public Works as to provide for the election of three commissioners only, and of giving them a permanent salary; also, the expediency of providing for the election or appointment of a chief engineer of the State; and that they report by bill or otherwise.

Mr. Thomas asked and obtained leave to introduce a bill for "An act to amend the act, entitled 'An act to protect the canal lands against trespasses,'" approved March 4, 1837; which was read, and

Ordered to a second reading.

Mr. Browning asked and obtained leave to introduce a bill for "An act to amend the act, entitled 'An act prescribing the mode of proceeding in chancery,'" which was read, and

Ordered to a second reading.

Mr. Peck asked and obtained leave to introduce a bill for "An act relating to liens upon real estate created by judgments of courts;" which was read, and

Ordered to a second reading.

Mr. Thomas asked and obtained leave to introduce a bill for "An act to provide for an equitable payment of interest on the school funds;" which was read, and .

Ordered to a second reading.

Mr. Peck asked and obtained leave to introduce a bill for "An act to locate a certain State road therein mentioned;" which was read, and,

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the bill read the second time by its title.

On motion of Mr. Peck,

Referred to the committee on Roads.

Mr. Monroe asked and obtained leave to introduce a bill for "An act to limit the jurisdiction of Justices of the Peace and Constables;" which was read, and

Ordered to a second reading.

Mr. Gatewood moved for adoption the following resolution, which lies on the table one day, viz:

Resolved, That the Auditor of Public Accounts be required to open an account between the school, college, and seminary fund, and the bank and internal improvement stock fund, for the sum of three hundred and thirty-five thousand six hundred dollars, and interest, paid under "An act concerning the surplus revenue," approved March 4, 1837.

On motion of Mr. Hacker,

The resolution contained in the message of yesterday from the House of Representatives, in relation to the election of State's Attorneys and an Attorney General, was taken up.

Mr. Browning withdrew his proposed amendment thereto.

Mr. Hacker moved to amend the resolution by striking out all after the word "electing," in the 5th line, and insert "an Attorney General and State's Attorney for the third judicial circuit;" which was agreed to.

Mr. Davidson moved to reconsider the vote last given; decided in the affirmative, and

On motion of Mr. Thomas,

Ordered, That the resolution be laid on the table until some day after the 1st Monday of January next.

Mr. Thomas asked and obtained leave to introduce a bill for "An act to provide for settling the accounts between the State and the Illinois and Michigan Canal;" which was read, and

Ordered to a second reading.

The resolutions offered by Mr. Borough, in relation to the revising of the laws of a general nature, were taken up and adopted.

The resolution offered by Mr. Allen, in relation to the amending of the road laws, was taken up and adopted.

The resolution offered by Mr. Murray, in relation to the expediency of amending the election law, was taken up, and adopted.

Bills on their second reading.

A bill for "An act to incorporate the Mechanics' Association and Galena Beneficial Society," was taken up, read, and

Ordered to be engrossed and read a third time.

A bill for "An act making an appropriation for the completing and furnishing of the State house at Springfield," was read the second time.

Mr. Blackwell moved to lay on the table, and that the same be printed for the use of the Senate.

Mr. Borough moved to amend the motion by striking out so much as relates to printing; which was not agreed to.

The question then recurring upon Mr. Blackwell's motion,

It was decided in the negative, yeas 11, nays, 27.

Those who voted in the affirmative, are,

Messrs. Blackwell, Fithian, Gaston, Hackelton, Hamlin, Johnson, Nunnally, Parrish, Peck, Turney and Warren—11.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Harrison, Herndon, Little, Mills, Mitchell, Moore, Monroe, Murray, O'Rear, Richardson, Ross, Servant, Stadden, Thomas, Weatherford, Witt, and Wood—27.

Mr. Blackwell moved that the bill be referred to the committee on Finance; which was not agreed to,

And on the question being put—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A bill for "An act to amend the several laws in relation to appeal bonds and the trial of appeals," was taken up, read, and,

On motion of Mr. Borough,

Laid upon the table, and ordered to be printed.

A bill for "An act to extend the corporate powers of the President and trustees of the town of Belleville," was read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

A bill for "An act legalizing the assessment of property taken in the county of Peoria for 1838, was read a second time, and

Ordered to a third reading.

A bill for "An act for the safe-keeping of runaway slaves and servants," was taken up.

Mr. Herndon moved to amend by adding the following additional sections, which was agreed to, to wit:

"SEC. 8. That nothing herein shall be so construed as to authorize the said Warden to retain such negro or mulatto any longer than they shall produce their free papers, such as are required by the laws of this State.

"SEC. 9. After said negro or mulatto may be set at liberty, they shall

have thirty days to enter into bond for their good behaviour, in conformity with the laws of this State; and should they fail to do so, such negro or mulatto shall be subject to be taken up again, and shall be treated as though they had no evidence of their freedom.

"Sec. 10. That before the Warden shall set at liberty such negro or mulatto, he shall endorse, upon the face of such negro's or mulatto's free papers, the conditions upon which they are set at liberty."

On motion of Mr. Thomas,

The bill and amendment thereto were laid upon the table, and ordered to be printed.

A bill for "An act to vacate the survey and plat of Garrett's addition to the town of Peoria," was taken up, read, and,

On motion of Mr Hamlin,

Laid on the table.

A bill for "An act to amend an act, entitled 'An act for the relief of Nathaniel Pope and others,'" approved 1st July, A. D. 1837, was taken up, read the second time, and,

On motion of Mr. Gatewood,

Referred to the committee on the Judiciary.

A bill for "An act to repeal a part of the criminal code," was taken up, read the second time, and

On motion of Mr. Browning,

Referred to the committee on the Judiciary.

A bill for "An act of incorporation of the Upper Alton Manufacturing Company," was read the second time; and

On the question—"Shall the bill be engrossed and read the third time?"

It was decided in the negative.

A bill for "An act to authorize the county commissioners' courts to loan out certain funds," was read the second time.

Mr. Gatewood moved to amend by striking out all after the enacting clause: decided in the affirmative, and,

On motion of Mr. Davidson,

The bill as amended was referred to the committee on the Judiciary.

A message from the Governor, by A. P. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

A message from the House of Representatives, by Mr. Ryan, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following preamble and resolutions, viz:

Whereas the General Government, in surveying and subdividing the lands on the Embarrass river, omitted to subdivide township five, north of range 14 west, or any part thereof, considering and retaining the whole of said township as inundated and drowned land, in which situation it still remains; a part of which may be cultivated, and is now partially settled: And whereas it is highly important to the settlers in said township, that the same should be surveyed and disposed of, and they secured in their homes, and the improvement of said river is of great importance to the citizens who have purchased on and near the same, to enable them to transport their surplus produce: Therefore,

Resolved by the General Assembly of the State of Illinois, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to have a law passed by Congress, donating said township of land to the State, authorizing the State to survey and sell the same, the avails thereof to be applied exclusively to the improvement of the said Embarrass river.

Resolved, That the Governor be requested to transmit a copy of the foregoing preamble and resolution to each of our Senators and Representatives in Congress.

In the adoption of which they ask the concurrence of the Senate.

They have also adopted the following resolution, viz:

Resolved by the General Assembly of the State of Illinois, That there shall be elected, at the present session, three competent persons, well skilled in the laws of this State, to revise and condense all the laws of a general nature of said State, and to make a full and, as near as may be, a perfect index thereto; and they be required to lay the same before the next General Assembly.

In the adoption of which they ask the concurrence of the Senate.

They have concurred with the Senate in the adoption of the resolution providing for the printing of 2,000 copies of the journals of each House of the present General Assembly. And he withdrew.

A bill for "An act to amend the act entitled 'An act to prevent trespasses by cutting timber,'" approved, 27th February, 1819, was then taken up, read the second time, and

Ordered to a third reading.

On motion,

The Senate adjourned.

TUESDAY, DECEMBER 18, 1838.

Senate met pursuant to adjournment.

Mr. Richardson presented the petition of the proprietors of the town of Geneva, in Warren county, praying that the name of said town from Geneva to Bedford be changed; and,

On motion of Mr. Richardson,

The reading of the petition was dispensed with, and, referred to the committee on Petitions.

Mr. Servant moved for adoption the following resolution, which, by a rule of the Senate, lies one day on the table, viz:

Resolved, That the Board of Public Works employ a competent engineer to survey the inundated lands, lakes, and ponds in the American Bottom, and report to the next Legislature upon the practicability and probable cost of draining the same, and the probable additional cost of constructing a canal through the same.

Mr. Davidson moved for adoption the following resolution, which lies one day upon the table, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of making trespass, by cutting timber, an indictable offence; and that they report by bill or otherwise.

Mr. Hamlin moved for adoption the following resolution, which lies one day on the table, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of creating a new judicial circuit, to be composed of a part of the first, fifth, and sixth circuits; and that they report by bill or otherwise.

Mr. Blackwell moved for adoption the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the committee on the Judiciary be instructed to inquire into the expediency of passing a law to suppress the betting on elections, and that they report by bill or otherwise.

Mr. Mills asked and obtained leave to introduce a bill for "An act for the distribution of the school and seminary fund amongst the several counties of the State, and to provide for the application of the interest to common school purposes;" which was read the first time, and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill of the following title, viz: "An act making partial appropriations;" in the passage of which, they ask the concurrence of the Senate. And he withdrew.

Mr. Little asked and obtained leave to introduce a bill, entitled "An act to authorise Edward White to establish a ferry across the Mississippi river;" which was read the first time, and

Ordered to a second reading.

Mr. Herndon asked and obtained leave to introduce a bill entitled "An act relating to the appointment of Attorney General and State's Attorneys;" which was read the first time, and

Ordered to a second reading.

Mr. Weatherford moved to reconsider the vote taken yesterday in relation to the "Act of incorporation for the Upper Alton Manufacturing Company;" which was agreed to, and

On motion of Mr. Churchill,

Referred to the committee on the Judiciary.

Mr. Ross moved for adoption the following resolution, which lies one day on the table, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the propriety and necessity of creating additional judicial circuits, so as to reduce the number of counties composing each of the present circuits; and that they report by bill or otherwise.

Mr. Peck asked and obtained leave to introduce a bill for "An act to authorise the county commissioners of Cook county to effect a loan;" which was read the first time, and

Ordered to a second reading.

Mr. Thomas asked and obtained leave to introduce a bill for "An act to provide for issuing executions in certain cases;" which was read the first time, and

Ordered to a second reading.

Mr. Speaker announced that the communication from the Governor, received yesterday, was upon executive business; whereupon, the doors were closed.

And on the opening of the doors,

Mr. Davidson moved to take up the message last received from the House of Representatives, which was agreed to.

The bill from the House of Representatives, entitled "An act making partial appropriations," was read the first time, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill read a second time by its title; and,

On motion of Mr. Davidson,

The rules of the Senate were further dispensed with, and the bill read the third time by its title.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The resolution offered by Mr. Thomas, in relation to the Governor and Ex-Governor's taking seats within the bar of the Senate, was taken up, read, and adopted.

The resolution offered by Mr. Weatherford, in relation to the expediency of amending the law providing for a Board of Public Works, &c., was taken up, and read.

Mr. Gatewood moved to amend by adding the following:

"And also that said committee be instructed to inquire into the expediency of adding one commissioner to the Board of Public Works, and give him, exclusively, the charge of the construction of the Central railroad;" decided in the affirmative.

Mr. Monroe moved to further amend by adding the following, viz:

"And that they also inquire into the expediency of fixing the salary of Engineers, and other officers of the Board of Public Works, by law."

Mr. Thomas moved that the resolution, with the proposed amendment, be referred to the committee of the Whole, and made the order of the day for some day after Wednesday next; which was decided in the affirmative.

On motion,

The Senate adjourned.

WEDNESDAY, DECEMBER 19, 1838.

Senate met pursuant to adjournment.

Mr. Speaker laid before the Senate the following communication from the Auditor of Public Accounts, viz:

AUDITOR'S OFFICE, ILLINOIS,

Vandalia, Dec. 18, 1838.

SIR: In answer to a resolution of the Senate, I have the honor to submit the enclosed statement, showing the amount paid out of the contingent fund during the last four years, and to whom, and on what account paid. Vouchers for all said amounts are on file in this office.

I am, sir, your obed't serv't,

LEVI DAVIS, *Aud. Public Accounts.*

To the Hon. the SPEAKER of the Senate.

A Statement of the amount paid out of the Contingent Fund, from the 1st day of January, 1834, to the 1st day of December, 1838, to whom, and on what account paid.

1834.

January	3	To warrants to Greiner and Sherman, for blanks for binding laws	\$10 00
	30	To warrants to Isaac S. Berry, in full for services in going to Kentucky to demand of Governor a fugitive from justice	100 00
Feb.	11	To warrants to Martin W. Dorris, for services in going to Governor of Missouri to demand certain fugitives from justice	50 00
	22	To warrants to S. Beard, in full for services in going to Governor of Missouri to demand certain fugitives from justice	25 00
	27	To warrants to John Y. Sawyer, for printing general orders in relation to arms, &c.	3 00
March	1	To warrants to Doolittle and Munson, for seal for Auditor's office	48 25
April	1	To warrants to S. C. Sherman, for printing an act of the Legislature of Indiana in relation to the Great Wabash	26 00
	1	To warrants to S. P. Gorin, for freight and charges on map of the State of North Carolina, sent to the Governor	4 75
	1	To warrants to John Y. Sawyer, for publishing an act of the Legislature of Indiana in relation to the Great Wabash	26 00
	1	To warrants to Thomas C. Kirkman, for recording the plat of the town of Vandalia	20 00
	8	To warrants to R. Goudy, for binding journals and laws of different States	73 62
	28	To warrants to Martin W. Dorris, for services in going to the city of Jefferson to demand certain fugitives from justice, and expenses in transporting said fugitives to Quincy	150 00
May	31	To warrants to A. P. Field, for expenses in sending a draft to St. Louis in favor of commissioners of school fund, and for stationery for Secretary's office	23 00
August	12	To warrants to C. Jones & Co., for publishing Governor's proclamation for the apprehension of Newell Payne	4 50
Sept.	12	To warrants to Jacob Judy, George W. Waters, and Levi Davis, in part for their services in selecting seminary lands	150 00
October	11	To warrants to R. K. Fleming, for printing Governor's proclamation for an election of Congressman in the 1st Congressional district	5 00

Oct.	11 To warrants to John Y. Sawyer, for printing Governor's proclamation for an election for Congress in the 1st and 2d Congressional districts - - - - -	\$20 00
	12 To warrants to S. C. Pierce, for articles furnished for repairing and cleaning State arms - - - - -	30 15
Nov.	1 To warrants to Levi Davis and George W. Waters, in full for services in selecting seminary lands - - - - -	206 00
	12 To warrants to Jacob Judy, in full for services in selecting seminary lands - - - - -	121 00
	12 To E. Capps, for transporting two muskets from Springfield to Vandalia - - - - -	50
	12 To warrants to R. Blackwell, for brick furnished for repairing State house - - - - -	18 00
	12 To warrants to Harvey Lee, for repairing State house - - - - -	150 00
	12 To warrants to W. B. Scates, for legal services in three cases, vs. J. M. Duncan, late Cashier - - - - -	50 00
	12 To warrants to J. H. McLemore, for transporting State arms from Vandalia to Alton - - - - -	36 00
	12 To warrants to William G. Brown, for transporting State arms from Vermilion county to Alton - - - - -	160 00
	21 To warrants to William Linn, for articles furnished for repair of the State house - - - - -	69 75
	21 To warrants to Harvey Lee, for repairing the State house - - - - -	150 00
	28 To warrants to Buxton and Wolford, for publishing Governor's proclamation for an election for member of Congress in the third district - - - - -	3 00
	28 To warrants to John Hall, in full for lime furnished for State house - - - - -	20 00
	28 To warrants to J. Bradley, for services and expenses in collecting State arms - - - - -	150 00
	28 To warrants to Archibald Henry, in full for plastering done to State house - - - - -	25 00
	29 To warrants to James Black, for articles furnished for State house - - - - -	23 56
	29 To warrants to J. E. Howell, for repairs done on the State house - - - - -	28 00
	29 To warrants to James M. Morse, for repairs done to the offices of Treasurer and Secretary of State - - - - -	9 00
	29 To warrants to William J. Henry, for whitewashing State house - - - - -	17 00
Dec.	1 To warrants to John S. Roberts, for work done on State house - - - - -	5 00
	1 To warrants to John D. Hughes, for the apprehension of Hopkins and Johnson, fugitives from justice - - - - -	103 50

Dec.	1 To warrants to William Redmond, for work done on State house - - - -	\$38 75
	1 To warrants to William D. Haynie, for work done on State house - - - -	8 00
	1 To warrants to Bryant Whitfield, for work done on State house - - - -	27 00
	6 To warrants to William D. Haynie, for repairing State house, and furnishing materials -	11 00
	6 To warrants to R. Porter, for materials furnished for plastering State house - - - -	6 00
	10 To warrants to Thomas A. Gatewood, for work done on State house - - - -	5 16
	16 To warrants to S. and J. Francis, for publishing Governor's proclamation for the apprehension of N. Payne - - - -	9 50
	20 To warrants to D. Merrill, for the apprehension of Henry Shouse, a fugitive from justice -	100 00
	22 To warrants to Abraham and William Duncan, for the apprehension of Hezekiah Garrett, a fugitive from justice - - - -	200 00
Amount paid out during the year 1834		<u>\$2,519 99</u>

1835.

Jan'y	21 To warrants to Francis Arenz, for publishing Governor's proclamation for the apprehension of N. Payne and E. Hankins, and holding Congressional election - - - -	12 00
	22 To warrants to J. G. Edwards, for publishing Governor's proclamation relative to the Penitentiary, for Congressional election, apprehension of Sullivan, Adjutant General's notice, &c. -	14 50
	22 To warrants to Joseph Hockett, for repairing State seal - - - -	3 00
Feb.	3 To warrants to Brooks and Pettit, for publishing Governor's proclamation for special election in 3d Congressional district - - - -	3 00
	13 To warrants to J. T. Bradley and J. C. Sprigg, for copying railroad and canal bills -	13 00
	14 To warrants to J. Dement, for conveying school fund from St. Louis, and for services in depositing \$3,000 in Bank at St. Louis, and obtaining a check to pay interest on loan -	195 00
March	20 To warrants to John C. Sprigg, for making out certified copies of certain laws for the use of the Executive - - - -	25 50
June	4 To warrants to Gatewood and Oliver, for publishing Governor's proclamation relative to elections, &c. - - - -	7 50

June	15	To warrants to W. E. Woodruff, for advertising in the Arkansas Gazette the Governor's proclamation for the apprehension of Hezekiah Garrett	\$5 00
	20	To warrants to R. W. Clark, for publishing Governor's proclamation for the apprehension of N. Payne	3 00
July	21	To warrants to John Y. Sawyer, for publishing Governor's proclamation in relation to Shawneetown Bank, and for election of Senator of Jo Daviess county	11 80
August	31	To warrants to J. S. Gordon, for hair furnished for plastering State house	3 50
	31	To warrants to William J. Hockett, for repairing State house	1 50
	31	To warrants to William J. Mitton, for advertising H. Garrett, a fugitive from justice	7 00
Oct.	10	To warrants to F. Condit, for services and expenses in removing public record from Vandalia to Rushville	44 00
	31	To warrants to John Y. Sawyer, in full for publishing Governor's proclamation, convening Legislature, and Treasurer's notice of what kind of money would be received into the Treasury	14 90
Dec.	11	To warrants to William Redmond, in full for repairs done to the State house	47 75
	11	To warrants to E. Breath, for publishing Governor's proclamation for a Congressional election	3 00
	14	To warrants to James S. Beaumont, in full for his services as auctioneer for the sale of stock of Shawneetown Bank	5 00
	19	To warrants to Brooks and Pettit, for advertising Governor's proclamation for the apprehension of Craig, a fugitive from justice	3 75
	28	To warrants to William McKennon, for his services as a messenger in going for the census of Clay county	20 00
Amount paid out during the year 1835			<u>\$443 70</u>

1836.

Jan'y	7	To warrants to Simeon Francis, in full for publishing Governor's proclamation for the apprehension of N. Payne, a fugitive from justice, and for election of members of Congress	13 50
	8	To warrants to Stout and Johnson, in full for blank book for school fund commissioners	3 12

Jan'y	9	To warrants to John Y. Sawyer, in full for publishing Governor's proclamation for the apprehension of John Craig, a fugitive from justice	\$11 37
	9	To warrants to S. Penn, in full for publishing Governor's proclamation for the apprehension of N. Payne, a fugitive from justice	3 75
	16	To warrants to Basil B. Craig and Levin Lane, in part for their services as messengers to demand fugitives from justice of the Executives of Indiana and Louisiana	200 00
	18	To A. S. Mitchell, in full for a large map of the United States, furnished for the State Department	12 00
Feb.	29	To warrants to Moses Philips, in full for a table furnished for the use of the State	8 00
March	10	To warrants to John Y. Sawyer, in full for one hundred volumes of the Statutes of 1835-6, furnished for the use of the State	150 00
April	18	To warrants to Richard Beck, in full for advertising Governor's proclamation relative to the State Bank of Illinois	6 00
	18	To warrants to Asahel Lee, in part for repairing the State house, and furnishing materials for the same	250 00
	22	To warrants to Basil B. Craig, in part for his services as messenger to the Governor of Louisiana to demand David Cooper, a fugitive from justice	25 00
May	25	To warrants to Edward Coles, in full for his services and expenses in endeavoring to negotiate a loan for the Illinois and Michigan canal	50 00
June	10	To warrants to the estate of John Y. Sawyer, in full for two quires of blanks furnished for the use of the Executive	2 50
July	7	To warrants to J. Delafield, in full for 550 forms of blank certificates of canal stock, and also for his services in negotiating said certificates	307 00
	13	To warrants to William L. Graves, in full for repairs done to public offices	22 06
	13	To warrants to James S. Jones, in full for making out a copy of the canal law for the use of the Executive	10 00
August	15	To warrants to Lemuel Lee, in full for his services in bringing blank certificates of canal stock from Chicago to Vandalia, and for going to Jacksonville on an express to the Governor	20 00
	15	To warrants to Doolittle and Munson, in full for a State seal and press for the Secretary's office	55 00

August	19	To warrants to Hodge and Shrader, in full for advertising Governor's proclamation for the apprehension of Martin Harrison, a fugitive from justice	\$5 25
	19	To warrants to William Elam, in full for 580 feet of plank furnished for the State house	11 60
Sept.	3	To warrants to Waterman, Maddox & Co., in part for laying the foundation of the new State house	200 00
	7	To warrants to Hodge and Shrader, in full for publishing Governor's proclamation for the apprehension of John Caldwell and Henry Bracken, fugitives from justice	7 00
	9	To warrants to Prentice and Weissenger, in full for advertising Governor's proclamation for the apprehension of Martin Harrison and John Caldwell, fugitives from justice	8 12
	17	To warrants to Waterman, Maddox & Co., in part for laying the foundation and brick work of the new State house	780 00
	17	To warrants to John Hall, in part for three hundred and twelve perch of stone for the new State house	936 00
October	3	To warrants to William C. Greenup, in part for his contract for taking down the old State and Bank houses, and digging the foundation of the new State house	200 00
	3	To warrants to A. and H. Lee, in part for carpenter's work done on the State house	300 00
	8	To warrants to Thomas B. Hickman, in part for carpenter's work done on the State house	48 00
	13	To warrants to James M. Morse, in full for plank furnished for building the State house	40 16
	15	To warrants to Winslow Pilcher and John Dement, in full for hauling timber for the State house	47 50
	15	To warrants to Waterman, Maddox & Co., in part for laying the brick and stone work of the State house.	500 00
	15	To warrants to Hodge and Taylor, in part for carpenter work done on the State house	276 32
	17	To warrants to Thomas C. King and Ira Pierce, being the reward for the apprehension of John Craig, a fugitive from justice	200 00
	17	To warrants to A. and H. Lee, in part for carpenter work done on State house	1,000 00
	20	To warrants to Aiken Evans, in full for five days' services in hiring masons for the State house	12 50

October 26	To warrants to Gatewood and Oliver, in full for advertising in the Shawneetown Journal notice of the sale of stock in the Shawneetown Bank, and Governor's proclamation for the meeting of the Legislature	\$5 00
28	To warrants to William C. Greenup, in part for taking down the old State and Bank houses, and digging the foundation of the new State house	100 00
29	To warrants to William Linn, in part for his bill for sash, flooring and other plank furnished at St. Louis for the State house	1,150 00
Nov. 3	To warrants to Harrison Thompson, in part for shingles furnished for the State house	60 00
Amount paid out for the year 1836		<u>\$7,036 75</u>

1837.

Jan'y	3 To warrants to Basil B. Craig, in full for his services in going as a messenger to the Governor of Louisiana to demand a fugitive from justice	75 00
	30 To warrants to James M. Duncan, Clerk Supreme Court, in full for his bill of costs in two cases in said Court against James Hall, former Treasurer	25 65
Feb.	7 To warrants to William H. Coyle, in full for advertising Governor's proclamation for election of Major General, and for convening the Legislature	4 50
March	4 To warrants to Joseph Hayes, commissioner of sales of Gallatin Saline lands, in full for making out a report to the Auditor of the lands sold by T. D. Hewitt, former commissioner	20 00
	6 To warrants to William E. Woodruff, for advertising in the Arkansas Gazette the Governor's proclamation for the apprehension of William Copland and other fugitives from justice	31 87
April	13 To warrants to B. W. Thompson, in full for collecting Revised Laws of 1833	125 00
May	3 To warrants to J. C. Bruner, in full for an allowance made him by the Governor out of the contingent fund	20 00
	5 To warrants to John F. Maddox, in part for plastering rooms in the State house for public offices	200 00
	22 To warrants to Harrison Thompson, in full for 8,000 laths furnished by him for the lower rooms of the State house	24 00

May	25	To warrants to Thomas O. Davis, in full for publishing Governor's proclamation, and act concerning trespasses on canal lands - - -	\$36 00
	22	To warrants to J. Wentworth, in full for publishing Governor's proclamation, and act concerning trespasses on canal lands - - -	36 00
	22	To warrants to H. Warren, in full for publishing Governor's proclamation, and act concerning trespasses on canal lands - - -	36 00
	29	To warrants to Hodge and Shrader, in full for publishing Governor's proclamations, who elected members to Congress, who elected Presidential Electors, offering a reward for William Copland, proclamation and law concerning trespasses on canal lands, publishing supplement to Revenue laws, and printing three quires of circular letters - - -	55 50
June	19	To warrants to Henry Snyder, in full for work done for Secretary's office - - -	22 00
	24	To warrants to Nelson Rial, in full for his services as an express to the counties of Gallatin and Johnson with writs of election - - -	40 00
	26	To warrants to James M. Morse, in full for his services in going to Executive of Missouri to demand a fugitive from justice - - -	150 00
	26	To warrants to A. J. Guykowski, in full for his services in taking writs of election to the counties of Effingham, Coles, and Edgar - - -	36 00
	26	To warrants to D. B. Hodge, in full for his services in carrying writs of election to the counties of Sangamon, Morgan, Cass, and Adams - - -	60 00
	26	To warrants to B. W. Thompson, in full for his services in taking writs of election to the counties of Greene and Calhoun - - -	40 00
July	1	To warrants to William James, in full for 450 bushels of lime furnished for plastering lower rooms of the State house - - -	90 00
	7	To warrants to John F. Maddox, in full for plastering two rooms of the State house for public offices - - -	24 25
	8	To warrants to A. and H. Lee, in full for finishing joiner work of one room of the State house for Supreme Court - - -	220 00
	13	To warrants to John D. Whiteside, Treasurer, in full for his expenses in going and returning from Springfield on official business - - -	21 00
	13	To warrants to John D. Whiteside, in full for carrying writs of election to the counties of St. Clair, Madison, and Monroe - - -	5 00

July	13	To warrants to Winslow Pilcher, in full for cleaning out Senate Chamber and Hall of House of Representatives - - - -	\$25 00
	13	To warrants to S. M. Bartlett, in full for publishing Governor's proclamation offering a reward for the apprehension of certain fugitives from justice, and proclamation concerning canal lands - - - -	47 00
	14	To warrants to S. H. Davis, in full for publishing Governor's proclamation, and an act concerning trespasses on canal lands - - - -	36 00
	19	To warrants to William Hodge, in full for 500 copies "Free Press" containing Governor's proclamation convening the Legislature, and also for work done in taking down and removing fixtures in Secretary's office - - - -	31 00
	19	To warrants to Enoch Lucky, in full for his expenses in arresting Johnson, Arkart, and Elliott, prisoners who escaped from the jail of Madison county - - - -	15 00
	21	To warrants to Levin Lane, in full for his services as a messenger to the Governor of Indiana to demand a fugitive from justice - - - -	100 00
	22	To warrants to William Reeves, in full for his services as an express to the county of Adams with a writ of election - - - -	40 00
August	17	To warrants to Eleanor Hall, in full for 100 bushels of lime furnished for plastering rooms in the State house for the use of the Treasurer and Clerk Supreme Court - - - -	20 00
	29	To warrants to Abner Johnson in full for work done in finishing room in State house for the use of the Treasurer - - - -	36 50
Sept.	2	To warrants to William Linn, in full for plank furnished for lathing rooms in the State house for the use of the Treasurer and Supreme Court - - - -	34 34
	9	To warrants to William Young, in full for plastering rooms in the State house for the use of the Treasurer, &c. - - - -	227 25
	19	To warrants to Levi Davis, in full for expenses in going to Edwardsville and Belleville on official business - - - -	25 00
October	2	To warrants to Abner Johnson, in full for his services as a messenger to the Acting Governor at Carmi - - - -	36 00
	21	To warrants to L. O. Shrader, in full for his services as an express to certain counties with writs of election - - - -	140 00

Oct.	21 To warrants to George A. Norris, in full for publishing Governor's proclamation and act concerning trespasses on canal lands - - -	\$25 50
	21 To warrants to Brooks and Co., in full for publishing Governor's proclamation convening the Legislature - - - - -	5 00
	21 To warrants to Stout and Johnson, in full for binding laws and journals of Congress, &c., for Secretary's office - - - - -	350 50
	21 To warrants to James M. Morse, in part for his services as a messenger to the Executive of Arkansas to demand a fugitive from justice - -	150 00
Nov.	11 To warrants to Benjamin Buckmaster, in full for 1,000 shingles furnished for covering the cupola of the State house - - - - -	4 00
	24 To warrants to William L. Graves, in full for work done for Secretary's office - - - - -	15 12
	24 To warrants to John Hogan and Co., in full for freight and storage on cannon, &c. - - -	57 10
	24 To warrants to Levi Davis, in full for his expenses in going to Alton on official business - -	20 00
Dec.	12 To warrants to Franklin Witt, in full for his services in carrying delinquent lists to counties on the Military Tract - - - - -	35 00
	22 To warrants to Abner Johnson and William L. Graves, in full for work done on the cupola of the State house - - - - -	5 00
	25 To warrants to N. H. Ridgely, in full for procuring an engraving for canal bonds and 550 impressions of same - - - - -	433 00
Amount paid out for the year 1837 - - -		<u>\$3,375 48</u>

1838.

Jan.	16 To warrants to William Linn, in full for lumber furnished for cupola of the State house - -	25 99
	29 To warrants to Doolittle and Munson, in full for State seal - - - - -	55 00
April	16 To warrants to James M. Morse, in full for his services and expenses in going as an express to the Lieutenant and Acting Governor at Carmi - - - - -	20 00
	16 To warrants to E. J. Rice, in full for his services and expenses in going to Jacksonville as an express to the Governor by order of the Secretary of State - - - - -	18 00
	26 To warrants to Johnson and Curlee, in full for a door for the Supreme Court room in the State house - - - - -	16 00

July	2	To warrants to James M. Morse, in full for services and expenses in going as a messenger to the Governor of Arkansas to demand H. Bracken, a fugitive from justice	\$250 00
August	8	To warrants to the Commissioner of Public Buildings, in full of an allowance made by the Governor to aid in building the State house in Springfield	3,000 00
October	3	To warrants to J. M. Lucas, in full for publishing Governor's proclamation for the apprehension of Silas A. Rude and Joseph Evans, fugitives from justice	15 00
	16	To warrants to McConnel, Ormsbee and Co., in full for freight paid by them on cannon belonging to the State	13 00
Nov.	3	To warrants to James M. Morse, in part of his account for plastering Legislative Halls, as per contract made by order of the Governor	300 00
	3	To warrants to Thomas B. Hickman, in part for work done on the State house, as per contract made by order of the Governor	300 00
	6	To warrants to William H. Olvey, in part for painting the Senate Chamber and Hall House of Representatives	30 00
	13	To warrants to E. Capps, in full for paints furnished for painting Senate Chamber and Hall House of Representatives	47 75
	23	To warrants to Thomas B. Hickman, in full of his contract for work done on the State house by order of the Governor	65 00
	27	To warrants to William H. Olvey, in full for painting Senate Chamber and Hall House of Representatives	34 00
	28	To warrants to R. Goudy, in full for his services and expenses as a messenger from the Governor at Jacksonville to Vandalia	40 00
Amount paid out for the year 1838			<u>\$4,229 74</u>

Amount appropriated as a Contingent Fund, for the years 1833 and 1834	\$10,000 00
From this sum deduct amount paid out during the same years	8,811 79
Balance of this appropriation unexpended	<u>\$1,188 21</u>

Amount appropriated as a Contingent Fund, for the years	
1835 and 1836 - - - - -	\$8,000 00
From that sum deduct amount paid out during the same	
years - - - - -	7,480 45
Balance of this appropriation unexpended - - -	<u>\$519 55</u>

Amount appropriated as a Contingent Fund, for the years	
1837 and 1838 - - - - -	\$8,000 00
From this sum deduct amount paid out during the same	
years - - - - -	7,605 22
Balance of this appropriation unexpended - - -	<u>\$394 78</u>

Mr. Gatewood moved for adoption the following resolutions, which lie one day on the table, viz:

Resolved, That, in the opinion of the Senate, it is expedient that there should be a library, law and other books, for the use of the Legislature and for the Supreme Court of this State.

Resolved, that the committee on the Judiciary be instructed to report a bill providing for the purchase of a library, as in the foregoing resolution, and the safe-keeping of the same.

Mr. Gatewood moved for adoption the following resolutions, which lie one day on the table, viz:

Resolved by the Senate and House of Representatives of the State of Illinois, That we view, with deep regret, the partiality exercised by the General Government, in causing the deposits of public moneys, collected in the State of Illinois, to be made in Banks without the same.

Resolved, That as citizens of Illinois, and representatives of the people thereof, we have confidence in the solvency and safety of our own Banking Institutions.

Resolved, That while we deplore the distracted condition of the country, in relation to the vexed questions of policy and law as to the proper mode of safe-keeping of the revenues of the General Government, we cannot view with composure the continual drain upon our circulating medium, caused by the proceeds of sales of public lands being deposited in Banks of other States, thereby giving those Banks a decided advantage over our Institutions and our citizens.

Resolved, That we have no hesitation in declaring that the policy and practice of depositing the revenues of the General Government, collected in this State, in the Bank of Missouri, is at war with our best interests; the more especially so, since we see that the public moneys are still deposited in Banks, to some extent.

Resolved, That we consider submission on the part of our public functionaries, in and out of Congress, to the practice of withdrawing from our State the revenues collected here, and depositing them to the support of

another Banking institution, in a neighboring State, as a humiliating surrender of the rights of our citizens, and their claims to equal justice, protection and support.

Resolved, That while we accord, most willingly and cheerfully, whatever advantages may arise to other States from the deposit of revenue collected therein, we are not willing to yield to them the advantages derived from revenue collected in our own.

Resolved, That our Senators be instructed, and our Representatives be requested, to use the influence which their station gives them, to change the present system of calling out of the State the revenues collected therein, no matter by what rule or regulation the same be countenanced and supported.

A message from the Governor, by A. P. Field, Esq. Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And then he withdrew.

Mr. Wood, from the committee on Petitions, to which was referred the petition of the county commissioners of Peoria county, made the following report: that they do not believe the Legislature have the power to grant the prayer of the petitioners. If the statement contained in said petition be true, (which your committee do not doubt) relief can be afforded in a court of chancery, which is the proper tribunal for them to appeal to.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Davidson, from the committee on the Judiciary, to which was referred the petition of the administrators of Andrew Henderson, deceased, asking for the passage of a law authorising them to sell certain lands, reported the same back, and asked the Senate to be discharged from the further consideration of the subject; which was agreed to.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, a bill of the following title, to wit: "An act making partial appropriations."

Mr. Turney, from the committee on the Judiciary, to which was referred the bill for "An act to authorise the county commissioners' courts to loan out certain funds," reported that they have had the subject under consideration, and report the said bill back to the Senate, with an amendment; in which they ask the concurrence of the Senate.

Mr. Gatewood moved to amend the amendment proposed by the committee, by striking out the first section of said amendment, and insert in lieu thereof, the following:

"That the county commissioners of the several counties in this State, who have received appropriations under the act, entitled 'An act to establish and maintain a system of internal improvement,' approved February 27, 1837, shall have power, in their corporate capacity, to sue for and collect the money so received, in cases where such money has been loaned;" which was agreed to.

And on the question—"Will the Senate concur with the report of the committee in their amendment as amended?"

It was decided in the affirmative.

Ordered, That the bill, as amended, be engrossed and read a third time.

Mr. Fithian, from the committee on Salines and Saline Lands, to which was referred the resolution to inquire into the expediency of selling the Saline lands in Bond county, and that they report by bill or otherwise, reported a bill for "An act to authorize the sale of the Saline lands in Bond county;" which was read, and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That the two Houses convene in the House of Representatives, on Thursday, the 20th instant, at 2 o'clock, P. M. for the purpose of electing a public printer for the State of Illinois, and also the Attorney General, Auditor, Treasurer, and State's Attorneys for the several judicial circuits, except in the sixth.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

Mr. Browning, from the committee on the Judiciary, to which was referred the resolution inquiring into the expediency of providing by law some mode whereby securities of sheriffs, coroners, justices of the peace, and constables, can be liberated, &c., reported the same back, and asked the Senate to be discharged from the further consideration of the subject, which was agreed to.

On motion of Mr. Turney,

The message last received from the House of Representatives, in relation to the election of certain officers, was taken up.

Mr. Gatewood moved to amend by striking out all after the words "public printer;" which was agreed to.

Mr. Davidson moved to lay the resolution as amended on the table; Which was decided in the negative—Yeas 20, nays 21.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—20.

Those who voted in the negative, are,

Messrs. Borough, Butler, Gaston, Gatewood, Hacker, Hackelton, Herndon, Hunter, Johnson. Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, Wood, and, there being a tie, Mr. Speaker—21.

And on the question—"Will the Senate concur with the House of Representatives in the adoption of the resolution as amended by them?"

It was decided in the affirmative—Yeas 21, nays 20.

Those who voted in the affirmative, are,

Messrs. Borough, Butler, Gaston, Gatewood, Hacker, Hackelton, Herndon, Hunter, Johnson. Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—20.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning Churchill, Davidson, Fithian,

Fletcher, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—20.

There being a tie, Mr. Speaker voted in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Speaker announced that the communication last received from the Governor, was upon executive business:

Whereupon, the doors were closed; and,

On the opening of the doors,

Mr. Butler moved to reconsider the vote given this morning on concurring with the House of Representatives in the adoption of a resolution having for its object the election of certain officers;

Which was decided in the affirmative—Yeas 21, nays 19.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—21.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Gatewood, Hacker, Hackelton, Herndon, Hunter, Jonnson, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—19.

Mr. Davidson moved to lay the resolution on the table until the second Monday in January next.

Mr. Hacker moved a division of the question so as to make it a motion to lay on the table; which was decided in the affirmative.

Mr. Davidson moved the reconsideration of the vote last taken;

Which was decided in the affirmative—Yeas 21, nays 19.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—21.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Gatewood, Hacker, Hackelton, Herndon, Hunter, Johnson, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—19.

Whereupon, Mr. Hacker withdrew his motion;

And the question recurring on the motion to lay on the table until the second Monday in January next,

It was decided in the affirmative—Yeas 23, nays 17.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Stadden, Thomas, and Wood—23.

Those who voted in the negative, are,
Messrs. Borough, Gaston, Gatewood, Hacker, Hackelton, Herndon, Hunter, Johnson, Mitchell, Nunnally, Parrish, Peck, Richardson, Turney, Warren, Weatherford, and Witt—17.

A message from the House of Representatives, by Mr. Ryan, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill of the following title, viz: "An act to vacate the town plat of the town of Peru, in McLean county."

In the passage of which they ask the concurrence of the Senate.

They have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure an appropriation for the further completion of the Cumberland road from Terre-haute, Indiana, to Vandalia, Illinois; and that the Governor be requested to transmit a copy of the above resolution to each of our Senators and Representatives in Congress.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

Mr. Hacker asked and obtained leave to introduce a bill for "An act to amend an act, entitled 'An act to incorporate the Cairo City and Canal Company;'" which was read, and

Ordered to a second reading.

Mr. Browning, from the committee on the Judiciary, to which was referred the petition of certain citizens of Pike county, praying relief, &c., reported a bill for "An act for the relief of Robert Davis and others;" which was read the first time, and

Ordered to a second reading.

Mr. Harrison asked and obtained leave to introduce a bill for "An act to amend 'An act to incorporate the Mississippi and Rock river Canal Company;'" which was read the first time, and

Ordered to a second reading.

Mr. Monroe asked and obtained leave to introduce a bill for "An act to amend an act concerning judgments and executions;" which was read the first time, and

Ordered to a second reading.

Mr. Monroe moved that the Senate now resolve itself into committee of the Whole, on the bill, entitled "An act to make the office of School Commissioner elective by the people;" which was not agreed to.

Mr. Servant's resolution calling on the Board of Public Works to "employ a competent engineer to survey, &c." was taken up, and modified by the mover, by inserting after the word "resolved," the following words, viz: "by the Senate (the House of Representative concurring herein;)" and then adopted.

Ordered, That the Secretary inform the House of Representative thereof, and ask there concurrence therein.

Mr. Davidson's resolution in relation to "making trespasses by cutting timber an indictable offence, &c.," was taken up, read, and adopted.

Mr. Gatewood's resolution "that the Auditor of Public Accounts be required to open an account between the school, college and seminary fund &c.," was taken up, read, and,

On motion of Mr. Browning,

Laid on the table.

Mr. Hackelton, from the committee on Enrolled Bills, reported that, on this day they laid before the Council of Revision, "An act making partial appropriations."

On motion of Mr. Gatewood,

The orders of the day were dispensed with, and the bill for "An act making an appropriation for the completion and furnishing of the State house at Springfield," was taken up and read a third time.

Mr. Fithian moved to lay said bill on the table; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Blackwell, Churchill, Fithian, Gaston, Hackelton, Hamlin, Hunter, Johnson, Little, Moore, Murray, Nunnally, and O'Rear—13.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Harrison, Herndon, Mills, Mitchell, Parrish, Peck, Richardsen, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood—26.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 20, 1838.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill of the following title, viz:

"An act to provide for the collection of demands growing out of sales of the possession of the public lands."

In the passage of which they ask the concurrence of the Senate. And he withdrew.

Mr. Hacker, from the committee on Internal Improvements, to which was referred the petition of A. Withers and other citizens of Bloomington, reported the following bill, to wit: A bill for "An act in relation to the town of Bloomington;" which was read the first time, and

Ordered to a second reading.

The question recurring again, which was pending at the adjournment, upon the passage of the bill, entitled a bill for "An act making an appropriation for the completion and furnishing of the State house at Springfield."

On the question—"Shall the bill pass?"

It was decided in the affirmative—Yeas 31, nays 9.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hacker, Harrison, Herndon, Little,

Mitchell, Moore, Murray, O'Rear, Parrish, Peck, Richardson, Ross, Servant, Stadden Thomas, Turney, Warren, Weatherford, Witt, and Wood—31.

Those who voted in the negative, are,

Messrs. Blackwell, Gaston, Hackelton, Hamlin, Hunter, Johnson, Mills, Monroe, and Nunnally—9.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Hamlin,

The bill some days since laid on the table, entitled a bill for "An act to vacate the survey and plat of Garrett's addition to the town of Peoria," was taken up.

Mr. Hamlin moved to amend the bill by adding the following, as an additional section:

"SEC. 2. The proprietor or proprietors of the town of Hudson, in the county of Peoria, be and they are hereby authorized to vacate the survey and plat of so much of said town as remains unsold by the said original proprietors, saving, to all purchasers from said proprietors or others, all legal rights accruing to them by virtue of such purchase;" decided in the affirmative.

Ordered, That the bill, as amended, be engrossed and read a third time.

Mr. Borough moved for adoption the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of changing the route of the Alton and Hillsboro' railroad, so as to make it go by Carlinville, in Macoupin county.

Mr. Monroe moved for adoption the following resolution, which lies one day on the table, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of reporting a bill for a law calculated to enforce the laws of the Government of the United States in regard to naturalization.

On motion of Mr. Peck,

The bill some days since laid upon the table, entitled a bill for "An act to authorize limited partnerships," was taken up, and,

On motion of Mr. Peck,

Referred to the committee on the Judiciary.

On motion of Mr. Thomas,

The bill some days since laid upon the table, entitled a bill for "An act to amend the several laws in relation to appeal bonds and the trial of appeals," was taken up.

Mr. Thomas moved to amend the bill, in the 4th section, after the word "peace," in the 2d line of that section, by inserting "or to any proceeding before him." After the word "and," in the 3d line, insert "in all cases of appeal from justices of the peace shall."

Which several amendments were agreed to.

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative—Yeas 27, nays 10.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Butler, Churchill, Davidson, Fithian, Gaston, Gatewood, Gibbs, Greer, Hamlin, Harrison, Little, Mitchell, Moore, Murray, O'Rear, Peck, Richardson, Ross, Servant, Stadden, Thomas, Turney, Weatherford, Witt, and Wood—27.

Those who voted in the negative, are,

Messrs. Borough, Fletcher, Hacker, Hackelton, Hunter, Johnson, Mills, Monroe, Nunnally, and Parrish—10.

The resolution offered by Mr. Hamlin, in relation to the expediency of creating a new judicial circuit, was taken up, and read.

Mr. Davidson moved to amend by striking out all after the word "resolved," and insert the following, viz:

"By the Senate and House of Representatives, That there shall be a joint select committee of one on the part of the Senate from each judicial circuit, and one on the part of the House from each circuit, with instructions to reorganize the circuits of this State, and to inquire into the expediency of forming one or more additional circuits;" which was agreed to.

And the resolution as amended was adopted.

Ordered, That Messrs. Thomas, Servant, Gatewood, Davidson, Ross, Hamlin, and Peck, be the committee on the part of the Senate; and that the Secretary inform the House of Representatives thereof.

The resolution offered by Mr. Blackwell, instructing the committee on the Judiciary in relation to the subject of betting on elections, &c., was taken up, read, and adopted.

The resolution offered by Mr. Ross, in relation to the necessity of creating additional circuits, &c., was taken up, read, and on his motion, laid on the table.

The resolutions offered by Mr. Gatewood, in relation to a library, &c., for the use of the Legislature and Supreme Court, were taken up, read, and adopted.

The resolutions offered by Mr. Gatewood, relative to the deposit of public moneys in banks without the limits of this State, were taken up, read, and,

On motion of Mr. Browning,

Laid on the table, and ordered to be printed.

The message from the House of Representatives, containing a resolution in relation to the unsurveyed lands in the State of Illinois, and the necessity of putting the same under immediate contract, was taken up, read, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The message from the House of Representatives, containing a resolution in relation to the election of public printer, received some days since, was taken up, read, and,

On motion of Mr. Turney,

Laid on the table.

The message from the House of Representatives, containing a resolution in relation to granting the volunteers in the late war a bounty in land, was read and concurred in.

The message from the House of Representatives, containing a resolution

asking Congress to donate to the State of Illinois township five north, range fourteen west, for the improvement of the Embarrass river; also, a resolution having for its object the appointment of three competent persons to revise and condense the laws of this State, was read, and the first resolution contained in said message concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The second resolution contained in said message was,

On motion of Mr. Gatewood,

Referred to the committee on the Judiciary.

The message from the House of Representatives, relative to the completion of the Cumberland road from Terre-haute to Vandalia, was read:

Whereupon, Mr. Thomas moved to amend by striking out "Vandalia," and inserting "Alton," in lieu thereof; which was agreed to.

And on the question—"Will the Senate concur with the House of Representatives in the adoption of the resolution as amended by them?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A bill from the House of Representatives, entitled "An act to vacate the town plat of Peru, in McLean county," was read the first time, and

Ordered to a second reading.

A bill from the House of Representatives, entitled a bill for an act, entitled "An act to provide for the collection of demands growing out of contracts for sales of the possession of the public lands," was read the first time, and

Ordered to a second reading.

On motion of Mr. Thomas,

Leave of absence was granted to Messrs. Ross and Weatherford, for the space of ten days.

Mr. Greer moved to dispense with the orders of the day, and that the Senate now resolve itself into a committee of the Whole, to take into consideration the bill, entitled "An act to make the office of school commissioner elective by the people;" which was not agreed to.

A bill for "An act legalizing process issued by judges and justices of probate," was read the second time, and

Ordered to a third reading.

A bill for "An act to amend the act, entitled 'An act declaring what shall be evidence in certain cases,'" approved January 10, 1827, was read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

A bill for "An act to amend the act, entitled 'An act to protect the canal lands against trespasses,'" approved March 4, 1837, was read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on Canals and Canal Lands.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 21, 1838.

Senate met pursuant to adjournment.

Mr. Hamlin presented the petition of Wm. H. E. Hook, praying for a divorce; which was read, and,

On motion of Mr. Browning,

Laid on the table.

Mr. Peck moved for adoption the following resolution, which lies on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending "An act relative to promissory notes, bonds, and due bills, and other instruments in writing, and making them assignable," as will prevent the necessity of instituting and prosecuting a suit against the maker of a note or bill for the purpose of securing the liability of the endorser.

Mr. Thomas moved for adoption the following resolutions, which lie one day on the table:

Resolved, That the committee on Internal Improvements be instructed to prepare, and report to the Senate, amendments to the Internal Improvement law making the following provisions:

1. That no public works shall be put under contract until the Board of Public Works shall have examined the report of the Engineer, and decided upon the location and construction of the work.

2. That no contract shall be obligatory upon the State, until it shall have been approved of by the Board.

3. That Engineers shall not be subject to the order or control of any one Commissioner, but shall be alone responsible to the Board.

4. That no Commissioner shall employ a clerk in his circuit, at the public expense, nor be allowed office rent or fuel.

5. That no contract shall be approved of by the Board, which does not fix a price upon every description of work required to be done by such contract.

6. That a stipulation be inserted in every contract, that the State shall not allow any extra compensation for work of any description named in contracts.

7. That neither the President of the Board, nor any Commissioner, shall ever make or deliver blank checks or drafts for money.

8. That the Banks shall be the sole disbursing agents of the State.

9. That drafts or checks upon the Banks shall specify for what they are given, and be so written as that the receipt of the payee shall operate as a receipt to the State, as well as to the Bank.

10. That the circuit court in each county, upon application of the Board of Public Works, be required to appoint three Commissioners, possessing the qualification of jurors, to assess damages in cases of the appropriation of individual property to the public use, and vesting the courts with power to act upon the reports of the Commissioners, and making all orders requisite to securing the right of way, and payment of damages.

11. That if any Commissioner shall make drafts or checks for money for one purpose, and shall apply it to another, or shall draw for money to

pay any alleged liability which has not in fact accrued, he shall be deemed a swindler, and punished by confinement in the Penitentiary.

12. That proposals for contracts shall hereafter be submitted to the Board, and not to any one or more Commissioners; and the Board to decide thereon.

13. To repeal the provisions of the act authorizing lateral roads, or prohibit the application of money to the construction of such roads, until provision is made therefor by law.

14. Prohibiting the Board, by express provision, from delegating, or attempting to delegate, any authority conferred upon the Board, upon any one member thereof.

15. Prohibiting any member of the General Assembly from holding any appointment or place of trust under the Board, or any member thereof; or from receiving any pay or compensation whatever from said Board, or any member thereof, for any services rendered during the time that such member is or may be entitled to a seat in either house of the General Assembly.

16. That Commissioners shall be liable to indictment for violations of duty.

17. Prohibiting the payment of contingent expenses to Engineers and Agents.

18. Limiting the number of Engineers and Assistant Engineers, and fixing their salaries.

19. Limiting the compensation of Commissioners, and allowing them a salary, instead of a per diem allowance, so as to reduce their compensation to a level with that allowed other State officers.

20. That all contracts shall be based upon descriptive estimates, and detailed plans and drawings.

21. That the Board shall keep an account with each object of appropriation in such form as to show the expenditures, under appropriate heads, classifying the items of expenditure, and placing them under those heads, in such form as to show at one view the expenditures under each head, and object of appropriation.

22. That deposits in the Banks shall be made to the credit of the appropriations, and not to the Board or any Commissioner, subject to disbursement upon drafts or checks made in the manner herein pointed out.

Mr. Browning asked and obtained leave to introduce a bill for "An act concerning landlords and tenants;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Gatewood,

The rules of the Senate were dispensed with, and the bill read a second time by its title, laid on the table and ordered to be printed.

Mr. Peck asked and obtained leave to introduce a bill for "An act to amend an act, entitled 'An act concerning judgments and executions;'" which was read the first time, and

On motion of Mr. Browning,

Laid on the table.

The resolution offered by Mr. Borough in relation to the expediency of changing the route of the Alton and Hillsborough railroad, was read and adopted.

The resolution offered by Mr. Monroe relative to the laws of naturalization was read and adopted.

Mr. Monroe moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Finance be instructed to inquire into the expediency of increasing the capital stock of the Bank of Illinois, to be subscribed on the part of the State; the nett proceeds of which to be appropriated towards the payment of interest on internal improvement loans; and, also, to inquire into the expediency of increasing the number of branches of said Bank.

A bill for "An act relating to liens upon real estate created by judgments of courts," was read the second time, and

Ordered to a third reading.

A bill for "An act to provide for an equitable payment of interest on the school funds," was read the second time, and,

On motion of Mr. Hacker,

Referred to the committee on Education.

A bill for "An act to amend an act, entitled 'An act prescribing the mode of proceeding in chancery;'"

A bill for "An act to provide for settling the accounts between the State and the Illinois and Michigan canal;"

A bill for "An act to authorize Edward White to establish a ferry across the Mississippi river;"

Were severally read the second time, and

Ordered to a third reading.

A bill for "An act to limit the jurisdiction of justices of the peace and constables," was read the second time, and,

On motion of Mr. Monroe,

Referred to the committee on the Judiciary.

A bill for "An act for the distribution of the school and seminary fund amongst the several counties of the State, and to provide for the application of the interest to common school purposes," was read a second time, and,

On motion of Mr. Hacker,

Laid on the table and ordered to be printed.

A bill for "An act relating to the appointment of Attorney General and State's Attorneys," was read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

A bill for "An act to authorize the county commissioners of Cook county to effect a loan," was read the second time, and,

On motion of Mr. Wood,

Referred to a select committee.

Ordered, That Messrs. Wood, Peck, and Parrish, be that committee.

A bill for "An act to provide for issuing executions in certain cases," was read the second time, and,

On motion of Mr. Gatewood,

Referred to the committee on the Judiciary.

A bill for "An act to authorize the sale of the saline lands in Bond county," was read the second time.

Mr. Gatewood moved to recommit the bill to the committee on Salines and Saline Lands, with the following instructions:

"To provide for the disposal of the salt wells or lots in Gallatin county, and for collecting the rents due the State thereon."

Mr. Monroe moved to amend the motion by adding the following:

"That the committee be instructed to inquire if the General Assembly have the constitutional right to sell the saline lands; and report separately in regard to the saline lands in Gallatin; and,

On motion of Mr. Hacker,

The bill and the proposed instructions were laid on the table.

A bill for "An act for the relief of Robert Davis and others," was read the second time, and,

On motion of Mr. Hacker,

Laid on the table.

A bill for "An act to amend an act to incorporate the Mississippi and Rock River Canal Company," was read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on Internal Improvements.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment; and there not being a quorum present,

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 22 1838.

Senate met pursuant to adjournment.

Mr. Stadden presented the petition of sundry citizens of La Salle county, praying for a State road therein named; and,

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Roads.

Mr. Stadden presented the remonstrance of sundry citizens of La Salle county, against a petition for a State road therein named; and,

On motion of Mr. Stadden,

Referred to the committee on Roads.

Mr. Little asked and obtained leave to introduce a bill, entitled "An act to vacate and relocate a part of the State road leading from White's ferry to the Drowning fork of Crooked creek;" which was read the first time, and

On motion of Mr. Richardson,

The bill was read a second time by its title, and referred to the committee on Roads.

On motion of Mr. Hacker,

Leave of absence was granted to Mr. Parrish, for the space of ten days.

On motion of Mr. Nunnally,

Leave of absence was granted to Mr. Monroe, for the space of ten days.

On motion of Mr. Fithian,

Leave of absence was granted to Mr. Mills, for the space of ten days.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the adoption of the resolution from the Senate, in relation to a reorganization of the judicial circuits of this State.

They amend so as to appoint two members from each circuit on the part of the House, and have appointed Messrs. Calhoun, English, Flood, Walker of Fulton, Craig, Henderson, Kercheval, Churchill, Walker of Vermilion, Webb of White, Fisk, Menard, Wood, and Logan, the committee on the part of the House.

In which amendment they ask the concurrence of the Senate.

They have also adopted the following preamble and resolution, viz:

Whereas it is important that the election of public printer, Auditor, and Treasurer of the State, should be had without unnecessary delay: and whereas the people should be fully represented in the election of said officers, and to the end that fair notice may be given of the time of such election, that each member of the General Assembly may attend: Therefore,

Resolved by the House of Representatives, the Senate concurring herein, That both Houses will meet in the Hall of the House of Representatives, on the second Monday of January next, at the hour of two o'clock, P. M., and proceed to the election of public printer, Auditor, Treasurer, and Attorney General, of this State.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

Which said message was read; and

On the question—"Will the Senate concur in the amendment of the House of Representatives in relation to the first resolution referred to in said message?"

It was decided in the affirmative.

Mr. Hacker moved that the preamble and resolution contained in said message, be laid on the table; which was not agreed to.

And the question recurring on the adoption of the resolution, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Borough,

The Senate resolved itself into a committee of the Whole, on the resolution offered by Mr. Gatewood some days since, in relation to the passage of a law giving the county commissioners' courts jurisdiction of roads,

&c.; Mr. Davidson in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Davidson reported that the committee had, according to order, had said resolution under consideration, made some progress therein, and had directed him to report the same back to the Senate, and ask leave to sit again; and,

On the question—"Shall leave be given?"

It was decided in the affirmative.

The resolutions offered by Mr. Thomas relative to an inquiry by the committee on Internal Improvements into the several matters therein named, were read, and,

On motion of Mr. Hacker,

Laid on the table and ordered to be printed.

The resolution offered by Mr. Peck, in relation to amending "An act relative to promissory notes, due bills, and other instruments in writing," &c., was read, and adopted.

The resolution offered by Mr. Monroe, relative to the expediency of increasing the capital stock of the Bank of Illinois, &c., was read and adopted.

A bill for "An act to amend an act, entitled 'An act to incorporate the Cairo City and Canal Company,'" was read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on Internal Improvements.

A bill for "An act to amend 'An act concerning judgments and executions,'" was read the second time, and

On motion of Mr. Davidson,

Referred to the committee on the Judiciary.

A bill for "An act in relation to the town of Bloomington," was read a second time, and

Ordered to a third reading.

The following bill, from the House of Representatives, was read the second time, and

Ordered to a third reading, to wit:

"An act to vacate the town plat of the town of Peru, in McLean county."

A bill for "An act entitled 'An act to provide for the collection of demands growing out of contracts for sales of the possession of the public lands,'" was read the second time, and,

On motion of Mr. Hacker,

Referred to the committee on the Judiciary.

The engrossed bills of the following titles, viz:

A bill for "An act to incorporate the Mechanic Association and Galena Beneficial Society;"

A bill for "An act to amend an act, entitled 'An act to prevent trespasses by cutting timber,' approved February 27, 1819;"

A bill for "An act legalizing the assessment of the property taken in the county of Peoria for 1838;"

A bill for "An act legalizing process issued by judges and justices of probate;"

A bill for "An act to amend the several laws in relation to appeal bonds and the trial of appeals;"

A bill for "An act to provide for settling the accounts between the State and the Illinois and Michigan canal;"

A bill for "An act relating to liens upon real estate created by judgments of courts;"

A bill for "An act to authorize Edmund White to establish a ferry across the Mississippi river;"

A bill for "An act to amend an act, entitled 'An act prescribing the mode of proceeding in chancery;'"

Were severally read a third time and passed.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence therein.

The engrossed bill, entitled a bill for 'An act to authorize the county commissioners' courts to loan out certain funds,' was read a third time and passed.

On motion of Mr. Davidson,

The title was amended by striking out the words "to loan out certain funds," and insert "to recover certain moneys by them heretofore loaned."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The engrossed bill entitled, a bill for "An act to vacate the survey and plat of Garrett's addition to the town of Peoria," was read the third time and passed.

On motion of Mr. Thomas,

The title was amended by adding after the word "Peoria," "and also to vacate the plat of the town of Hudson."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion of Mr. Hacker,

Leave of absence was granted to Mr. Gaston, for the space of five days.

On motion of Mr. Churchill,

Leave of absence was granted to Mr. Nunnally, for the space of ten days.

On motion,

The Senate adjourned.

MONDAY, DECEMBER 24, 1838.

Senate met pursuant to adjournment.

Mr. Blackwell moved for adoption the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the Board of Public Works be requested to communicate all the information in their possession in relation to the improvement of the Kaskaskia and Little Wabash rivers, stating how far the work has progressed, what plans have been adopted, and whether

the sums of money, set apart by the internal improvement law for the improvement of said rivers, will be sufficient to remove all the drift-wood and other obstructions to the navigation of said rivers.

Mr. Wood, from the committee on Petitions, to which was referred the petition of the proprietors of the town of Geneva, in Warren county, praying that the name of said town from Geneva to Bedford be changed, reported a bill, entitled a bill for "An act to change the name of the town of Geneva, in the county of Warren;" which was read the first time, and

Ordered to a second reading.

The engrossed bill, entitled a bill for "An act in relation to the town of Bloomington," was read the third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof and ask their concurrence to the passage of said bill.

The bill from the House of Representatives, entitled "An act to vacate the town plat of the town of Peru, in McLean county," was read the third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until Wednesday morning, 10 o'clock, A. M.

WEDNESDAY, DECEMBER 26, 1838.

Senate met pursuant to adjournment.

Mr. Richardson presented the petition of sundry citizens of Schuyler county, praying for a State road from Mount Sterling to La Grange; and,

On motion of Mr. Richardson,

The reading of the petition was dispensed with, and referred to the committee on Roads.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted a preamble and resolution in relation to the establishment of a mail route from Carlyle to the mouth of the Ohio river.

In the adoption of which they ask the concurrence of the Senate.

They have concurred with the Senate in the adoption of the resolutions relative to the survey of the inundated lands, lakes, and ponds in the American Bottom.

And have also adopted the following resolutions:

1. *Resolved by the House of Representatives, the Senate concurring herein*, That our Senators in Congress be and they are hereby instructed, and that our Representatives be requested to use their best exertions to procure, at the present session of Congress, the passage of a law by that body establishing a permanent system of pre-emption rights, by which the actual settler upon the lands of the Government of the United States shall have the exclusive privilege of purchasing, at Congress price,

any quarter section of land upon which he may have made an improvement; and, also, that they use their exertions to procure the passage of a law providing that the public lands hereafter be sold in limited quantities to actual settlers only—and that a reasonable time be allowed such settlers to pay for the same.

2. That the Governor be requested to transmit to each of our members of Congress a copy of these resolutions, properly certified.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

Mr. Richardson presented the petition of sundry citizens of Schuyler county, praying for a review of a State road from Rushville to Meredosia; and,

On motion of Mr. Richardson,

The reading of the petition was dispensed with, and referred to the committee on Roads.

Mr. Hacker asked and obtained leave to introduce a bill, entitled a bill for "An act to amend an act, entitled 'An act concerning costs;'" which was read the first time, and

Ordered to a second reading.

The message from the House of Representatives last received was taken up, and the preamble and resolutions first mentioned in said message were read and concurred in.

The resolution last named in said message was read, and,

On the question—"Will the Senate concur with the House of Representatives in the adoption of the resolution?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Thomas, from the committee on the Judiciary, to which was referred the bill for "An act to amend an act, entitled 'An act for the relief of Nathaniel Pope and others;'" approved, 21st July, 1837, reported that the committee have had the bill under consideration, and report the same back to the Senate with a substitute for the same; which substitute they ask may be adopted by the Senate; which was read, and,

On the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill was read a third time by its title.

And on the question—"Shall the bill as amended pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion of Mr. Witt,

Leave of absence was granted to Mr. Gibbs, for the space of ten days.

A message from the Governor, by A. P. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Speaker announced that the communication just received from the Governor was upon executive business:

Whereupon, the doors were closed; and,

On the opening of the doors,

Mr. Speaker laid before the Senate the following communication from the Fund Commissioners, viz:

FUND COMMISSIONER'S OFFICE,

Vandalia, December 24, 1838.

SIR: We have the honor to enclose a report, made in pursuance of a call from the Senate, with accompanying documents.

Yours, respectfully,

THOMAS MATHER,
M. M. RAWLINGS,
CHAS. OAKLEY.

To the SPEAKER of the Senate.

In obedience to a resolution of the Senate of the 8th instant, the undersigned, Fund Commissioners, respectfully report:

That by reference to an act of the last General Assembly, entitled "An act concerning the Surplus revenue," it will appear that the Fund Commissioners were directed to pay a certain amount of the surplus revenue, which had been appropriated to the school fund, on account of the subscription of three millions of stock which they were authorized to subscribe to the State Bank of Illinois and the Bank of Illinois. This sum, amounting to three hundred and thirty-five thousand six hundred dollars, was thus paid to said banks; leaving the sum of two millions six hundred and sixty-four thousand four hundred dollars due on said subscriptions. To meet this payment, two thousand six hundred and sixty-five bonds, of one thousand dollars each, were issued and disposed of at par.

The amount of bonds or certificates of internal improvement stock which have been issued, is two millions two hundred and four thousand dollars, being in two thousand two hundred and four certificates, of one thousand dollars each. Of these, one hundred was sold at a premium of five per cent., and the remainder at par. For more particular information relative to the disposition of all the bonds, the Commissioners would beg leave to refer to their report to the Auditor of Public Accounts, of December 1st, 1837, a copy of which is herewith transmitted, marked A. In accordance with the provisions of the last clause of the 18th section of the internal improvement act, there has been paid to counties one hundred and forty-four thousand seven hundred dollars. The respective counties which have received a dividend from this appropriation, with the amount thereof, are detailed in the accompanying document, marked B.

The unexpended balance remaining at the disposal of the Commissioners is deposited in banks, on general deposit, and at an interest at the rate of six per cent. per annum. It is used by the banks as other

imilar deposits, and paid upon the checks of the Commissioners at any time, and in such sums as they may choose to draw. The total amount is one million nineteen thousand six hundred and four dollars and four cents; the particular disposition of which appears in the account current, marked C.

The amount paid upon the drafts of the Board of Commissioners of Public Works, is one million one hundred and forty-two thousand twenty-seven dollars and five cents, and is charged, as directed by said Board, to the following accounts:

Great Wabash river	-	-	-	-	\$2,316 00
Illinois river	-	-	-	-	5,100 00
Rock river	-	-	-	-	2,300 00
Kaskaskia river	-	-	-	-	2,279 37
Little Wabash river	-	-	-	-	3,799 76
Great Western Mail route	-	-	-	-	94,932 07
Central Railroad	-	-	-	-	200,127 38
Alton and Mt. Carmel and Alton and Shawneetown Railroad	-	-	-	-	126,516 57
Northern Cross Railroad	-	-	-	-	521,420 25
Branch of Central Railroad	-	-	-	-	56,789 09
Peoria and Warsaw Railroad	-	-	-	-	83,370 84
Bloomington and Mackinaw Railroad	-	-	-	-	43,075 72

\$1,142,027 05

The statement marked D exhibits the amount drawn by the order of each Commissioner, the aggregate of which will be found to correspond with the foregoing accounts.

The amount received by the Commissioners, on account of their services, is six thousand dollars. That portion of this sum to be accounted for by each individual, appears in the account current referred to above.

The statement marked E shows the amount paid for clerk hire, as well as the amount paid the Secretary of the Board, together with the incidental expenses, amounting, in all, to four thousand eight hundred and seventy dollars and nine cents. There is no one employed by the Board, except their Secretary, whose compensation is \$1,000 per annum.

By reference to the accompanying account, it appears that the total amount of funds which have come into the hands of the Commissioners, is five millions six hundred and sixty-eight thousand and three dollars and ninety-two cents, and is derived from the following sources:

State of Illinois	-	-	-	-	\$477,919 14
Bonds	-	-	-	-	4,869,000 00
Premiums, dividends, and interest	-	-	-	-	321,084 78
					<u>\$5,668,003 92</u>

The amount disbursed is four millions six hundred and forty-eight thousand three hundred and ninety-eight dollars and eighty-eight cents, as follows:

Amount paid for Bank Stock	-	-	-	\$3,000,000	00
Amount paid drafts of Commissioners of Public Works				1,142,027	05
Amount paid Counties	-	-	-	144,700	00
Amount paid interest	-	-	-	292,250	00
Amount paid Fund Commissioners	-	-	-	6,000	00
Amount paid incidental expenses	-	-	-	4,870	09
Amount paid for Iron, Locomotives, &c.	-	-	-	58,552	74
Balance	-	-	-	1,019,604	04
					<hr/>
					\$5,668,003 92

It may not here be improper to state, that the interest is paid upon the bonds to the 1st of January ensuing. The interest received is calculated to the 25th November, and the dividends from the State Bank, to the first of the present month. On the first of January, the semi-annual dividend will be declared by the Bank of Illinois. We are assured that it will not be less than three per cent., making thirty thousand dollars which will then pass to the credit of the dividend account.

Of the exchange deposited with the Bank of Illinois, three hundred and fifty thousand dollars has not been disposed of; when this shall be sold, it will, in like manner, add to the amount of credits on account of premiums.

Respectfully submitted.

THOMAS MATHER,
M. M. RAWLINGS,
CHAS. OAKLEY,
Fund Commissioners

VANDALIA, December 24, 1838.

A

FUND COMMISSIONERS' OFFICE,
Springfield, December 1, 1837.

SIR: The act to establish a general system of Internal Improvements requiring that the Fund Commissioners make quarterly reports to you the undersigned, in pursuance of that provision, beg leave to report:

That since they had honor of forwarding you their report of the 1st of June, they have, for the most part of the time, been absent from the State, on business connected with their official duties, and for a considerable part of that time, have been separated from each other. For these reasons they did not report to you on the 1st of September. They beg leave now to embrace the whole of their operations for the last six months in one report.

The State Bank and Bank of Illinois having accepted the proposition of the Legislature for an increase of their capitals, the amount directed to be invested in the stock of these institutions by an act, entitled "An act concerning the surplus revenue," was subscribed to the State Bank for 2,356 shares—\$235,600—and on account of subscription to the Bank of Illinois, \$100,000.

Soon after the adjournment of the special session of the Legislature, the Commissioners proceeded to New York for the purpose of effecting a loan for the payment of the remainder of the subscriptions of the State to the banks, as well as for means for the prosecution of the several works of internal improvement. After advertising in several of the newspapers of that city, that bids would be received for loans for these purposes, they were much disappointed, on the arrival of the day fixed for opening the bids, to find that no offers were made.

They had hoped that, notwithstanding other States had failed to procure means for similar purposes, their own State might find more favor with capitalists. No disposition being manifested by them to take our bonds, an amount sufficient to pay the balance due, and to become due, the banks, was offered to these institutions at par, viz: to the State Bank, 1,765 bonds of \$1,000 each, and to the Bank of Illinois, 900 bonds of the same denomination. This offer has been accepted by both banks.

Subsequently, and after many efforts on the part of the Commissioners to dispose of a portion of the internal improvement bonds, they succeeded in selling to James Irvine one thousand bonds of \$1,000 each; to Nicholas Biddle, one thousand bonds, and to Hall and Hudson, one hundred bonds, all of the same denomination; making in all twenty-one hundred thousand dollars, (\$2,100,000) at par.

They also sold to Boorman and Johnson one hundred bonds of the same amount, at five per cent. premium. The two last mentioned sales were for cash on delivery of the bonds; the first two are to be paid for in sums of one hundred and fifty thousand dollars each per month.

The amount of the drafts of the Board of Public Works, paid since the 1st of June, is one hundred and twenty-one thousand and fifty-six dollars and thirty-one cents. All of which is respectfully submitted.

THOMAS MATHER,
CHARLES OAKLEY.

LEVI DAVIS, Esq.
Auditor of Public Accounts.

C.

Fund Commissioners, in account current with the State of Illinois.

Cr

Dr.

To amount received—	By amount paid—	
For 4,869 bonds, at \$1,000 each	For Bank stock in State Bank	\$2,000,000 00
State Treasurer	For Bank stock in Bank of Illinois	1,000,000 00
For interest on deposits in the Bank of Illinois	On drafts of Commissioners of Public Works	1,142,027 05
For interest on deposits in the State Bank of Illinois	Counties	144,760 00
For interest on deposits in the United States Bank	Interest on bond discounted in State Bank	\$110 00
	Interest to United States Bank on 4,869 bonds	292,140 00
For premium on 100 bonds sold to Boorman & Johnson, at 5 per cent.	Boorman & Johnson, on account of railroad iron	292,250 00
From Bank of Illinois, for premium on \$2,000,000 sold by them	M. M. Rawlings	42,000 00
From State Bank, for premium on \$1,216,000 sold by them	Thomas Mather	2,000 00
For premium on checks sold by Fund Commissioners	Charles Oakley	1,500 00
For premium on check for \$30,000, sold Canal Commissioners	Murray McConnell, on account of locomotives, fixtures, &c.	2,500 00
For Virg'a land scrip on \$31,445 60,	Incidental expenses	16,552 74
For dividends in Bank of Illinois	Balance deposited in the following Banks:	4,870 09
For dividends in State Bank	Bank of the United States	\$4,384 01
	Bank of Illinois	280,228 27
	State Bank	630,022 99
	Vandalia Branch Bank	104,968 77
		1,019,604 04
		<u>\$5,668,003 92</u>
1838, Dec. 24. To balance brought down		\$1,019,604 04

D

Statement showing the amount drawn by the Board of Public Works for each separate work, viz:

For the Northern Cross Railroad	-	-	-	\$521,420 25
Of which sum—				
Murray M'Connel, C. P. W. has drawn	\$463,819 47			
M. K. Alexander, C. P. W.	-	49,350 78		
Joel Wright, C. P. W.	-	-	8,250 00	
For the Central Railroad	-	-	-	200,127 38
Of which sum—				
Elijah Willard, C. P. W., has drawn	\$44,650 00			
M. K. Alexander, C. P. W.	-	392 18		
Murray M'Connel, C. P. W.	-	12,321 86		
John Dixon, C. P. W.	-	53,852 67		
Ebenezer Peck, C. P. W.	-	38,071 67		
William Kinney, C. P. W.	-	15,433 62		
J. Stephenson, C. P. W.	-	35,400 38		
For the Alton, Mt. Carmel and Shawneetown Railroad				126,516 57
Of which sum—				
M. K. Alexander, C. P. W., has drawn	\$36,024,92			
William Kinney, C. P. W.	-	47,569 95		
Elijah Willard, C. P. W.	-	42,921 70		
For the Great Western Mail Route	-	-	-	94,932 07
Of which sum—				
Wm. Kinney, C. P. W. has drawn	-	\$57,783 65		
M. K. Alexander, C. P. W.	-	37,148 42		
For Central Branch Railroad	-	-	-	56,789 09
Of which sum—				
M. K. Alexander, C. P. W., has drawn	\$56,789 09			
For the Peoria and Warsaw Railroad	-	-	-	83,370 84
Of which sum—				
Joel Wright, C. P. W., has drawn	-	\$83,370 84		
For Bloomington, Mackinaw and Peoria Railroad	-			43,075 72
Of which sum—				
Murray M'Connel, C. P. W. has drawn	\$43,075 72			
For Great Wabash river	-	-	-	2,316 00
Of which sum—				
M. K. Alexander, C. P. W., has drawn	\$2,316 00			
For Illinois river	-	-	-	5,100 00
Of which sum—				
Murray M'Connel, C. P. W., has drawn	\$5,100 00			

STATEMENT D—Continued.

For Rock river	-	-	-	-	-	\$2,300 00
Of which sum—						
John Dixon, C. P. W., has drawn					<u>\$2,300 00</u>	
For Kaskaskia river	-	-	-	-	-	2,279 37
Of which sum—						
William Kinney, C. P. W., has drawn					<u>\$2,279 37</u>	
For Little Wabash river	-	-	-	-	-	3,799 76
Of which sum—						
Elijah Willard, C. P. W., has drawn					<u>\$3,799 76</u>	

E

Statement of Items of Incidental Expenses.

Amount paid Secretary pro. tem. and Secretary,	-	\$1,500 00
Secretary of State for certified copies of the laws,	-	227 55
for engraving plates for bonds, and printing same,	-	1,745 00
G. W. Carruthers, late Secretary of Internal Improvement Board, for services,	-	50 00
Wm. H. Lee, for transporting two trunks of bonds from Vandalia to Springfield,	-	35 00
office rent, furniture, postage and office expenses in Vandalia,	-	130 98
postage, stationery, &c. while the office was kept at Springfield,	-	29 00
office rent in New York,	-	400 00
stationery,	-	100 53
office furniture,	-	98 00
clerks for filling bonds and numbering coupons	-	316 70
for two iron trunks with india rubber covers,	-	57 50
for conveying bonds to Illinois and back to New York,	-	45 19
for coal for use of office,	-	40 36
for Railroad Journal,	-	10 00
for portorage,	-	7 50
for advertising for proposals for loans	-	30 00
for stationery,	-	17 50
for postage,	-	29 27
		<u>\$4,870 09</u>

On motion of Mr. Hacker,

The communication, with the accompanying documents, was laid on the table, and ordered to be printed.

On motion,

The Senate adjourned.

THURSDAY, DECEMBER 27, 1838.

Senate met pursuant to adjournment.

On motion of Mr. Borough,

The Senate resolved itself into a committee of the Whole, on the resolution offered by Mr. Gatewood, in relation to giving the county commissioners power to change, alter, or modify State roads, within the limits of their respective counties; Mr. Hacker in the chair; and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Hacker reported that the committee of the Whole had, according to order, had said resolution under consideration, made some amendments thereto, and had directed him to report the same back to the Senate, and ask their concurrence therein.

And on the question—"Will the Senate concur with the committee of the Whole in their amendments to the resolution?"

It was decided in the affirmative.

The question then recurring on the adoption of the resolution as amended,

It was decided in the affirmative—Yeas 19, nays 13.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Fithian, Gaston, Hacker, Hackleton, Harrison, Herndon, Mitchell, Moore, Murray, Peck, Richardson, Turney, Warren, Weatherford, Witt, and Wood—19.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Davidson, Fletcher, Greer, Hamlin, Johnson, Little, O'Rear, Servant, Stadden, and Thomas—13.

Mr. Davidson from the committee on the Judiciary, to which was referred a bill for an act to extend the corporate powers of the President and Trustees of the town of Belleville," reported that the committee had had the same under consideration, and directed him to report the same back without amendment, and,

On motion of Mr. Murray,

Laid on the table.

Mr. Davidson, from the same committee to which was referred a bill for "An act to amend an act concerning judgments and executions," reported the same back, without amendment, and recommended the passage of said bill.

Ordered to be engrossed for a third reading.

Mr. Davidson, from the same committee to which was referred a bill entitled "An act to limit the jurisdiction of justices of the peace and constables," reported the same back without amendment.

On motion of Mr. Thomas,

Laid on the table.

Mr. Davidson, from the same committee to which was referred a bill for "An act to amend the act, entitled 'An act declaring what shall be evidence in certain cases,' approved, Jan. 10; 1827," reported the same back without amendment, and recommended the passage of said bill.

On motion of Mr. Peck,

Laid on the table.

On motion,

The Senate adjourned.

FRIDAY, DECEMBER 28, 1838.

Senate met pursuant to adjournment.

Mr. Gatewood presented the petition of sundry citizens of Gallatin, White, Wayne, Edwards, Clay Effingham, and Shelby counties, praying an additional appropriation for the improvement of the Little Wabash river.

On motion of Mr. Gatewood,

The reading of the same was dispensed with, and referred to the committee on Internal Improvements.

Mr. Thomas presented the petition of the inhabitants of Lynnville, in Morgan county, praying for an amendment to the act incorporating said town.

On motion of Mr. Thomas,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Ross presented the petition of sundry citizens of Pike county, praying for the passage of a law changing the name of Augusta, in said county, to the name of Florence.

On motion of Mr. Ross,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Ross, Richardson, and Harrison, be that committee.

Mr. Herndon moved for adoption the following resolution, viz:

Resolved by the Senate, the House of Representatives concurring herein, That a joint select committee consisting of four members of the Senate, and seven members of the House of Representatives, be appointed, to investigate all charges and complaints which may be preferred against any member or members of the Board of Public Works, and that said committee be so organized that one member from each judicial circuit shall constitute the component part of said committee, to be appointed by the House of Representatives; and that said committee shall have power to examine witnesses, take depositions, and send for persons and papers, and do such other things as may seem to them indispensably necessary towards obtaining a full, fair and complete investigation.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the resolution taken up for consideration.

Mr. Gatewood moved to lay the same on the table; which was decided in the negative—Yeas 10, nays 21.

Those who voted in the affirmative, are,

Messrs. Borough, Fithian, Gaston, Gatewood, Greer, Hacker, Hamlin, Mitchell, Thomas, and Warren—10.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Churchill, Fletcher, Hackelton, Harrison, Herndon, Johnson, Little, Moore, Murray, O'Rear, Peck, Richardson, Ross, Stadden, Turney, Weatherford, Witt, and Wood—21.

The question then recurring on the adoption of the resolution,

It was decided in the affirmative.

Ordered. That Messrs. Gatewood, Hacker, Browning and Richardson, be the committee on the part of the Senate; and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That our Senators in Congress be and they are hereby instructed, and our Representatives requested, to urge upon Congress the propriety of passing a law graduating the price of the public lands, and limiting the sales thereof to actual settlers, and of relinquishing to the States all lands that remain unsold, after having been offered for sale a certain length of time.

Resolved, That the Governor be requested to transmit a copy of the above resolution to each of our Senators and Representatives in Congress.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill of the following title, viz:

“An act to repeal part of an act, entitled ‘An act to provide for the sale of certain canal lands, and for other purposes.’”

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

Mr. Servant moved for adoption the following resolution, which lies on the table, one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of increasing the appropriation for the improvement of the Kaskaskia river.

Mr. Fithian moved the adoption of the following resolution, viz:

Resolved, That the Public Printer be required to print, and furnish, for the use of the Senate, ——— copies of the report of the Fund Commissioners.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and the resolution taken up for consideration.

Mr. Gatewood moved to fill the blank with "5,000," which was agreed to.

And on the question—"Will the Senate adopt the resolution as amended?"

It was decided in the affirmative.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill for "An act to amend an act to incorporate the Mississippi and Rock River Canal Company," reported the same back to the Senate without amendment, and recommended the passage of said bill.

Ordered to be engrossed for a third reading.

Mr. Hacker, from the same committee, to which was referred a bill for "An act to amend an act, entitled 'An act to incorporate the Cairo City and Canal Company,'" reported the same back to the Senate, and recommended the passage thereof.

Ordered to be engrossed for a third reading.

A bill from the House of Representatives, entitled "An act to repeal part of an act, entitled 'An act to provide for the sale of certain canal lands, and for other purposes,'" was read the first time, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, the bill read a second time, and

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was further dispensed with, and the bill read a third time.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Butler asked and obtained leave to introduce a bill for "An act supplemental to an act, entitled 'An act to erect certain bridges,' approved January 22, 1831;" which was read the first time, and

Ordered to a second reading.

Mr. Servant asked and obtained leave to introduce a bill for "An act to increase the corporate powers of the town of Chester;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Browning,

Leave of absence was granted to Mr. Lane, Sergeant-at-arms, for the space of two weeks.

The message from the House of Representatives first received, containing the resolution relative to "the graduation of the price of the public lands, and limiting the sales thereof to actual settlers," was read, and,

On motion of Mr. Thomas,

Laid on the table.

The resolution in relation "to the navigation of the Kaskaskia and Little Wabash rivers," offered by Mr. Blackwell, was read, and adopted.

A bill for "An act to change the name of the town of Geneva, in the county of Warren," was read the second time, and

Ordered to be engrossed for a third reading.

A bill for "An act to amend an act, entitled 'An act concerning costs,'" was read a second time.

Mr. Richardson moved to refer the same to the committee on the Judiciary.

Mr. Gatewood moved to amend the motion, so as to make it a motion for the indefinite postponement of the bill; which was decided in the affirmative.

On motion,

The Senate adjourned.

SATURDAY, DECEMBER 29, 1838.

Senate met pursuant to adjournment.

Mr. Ross presented the petition of sundry citizens of Pike county, praying for a law to relocate the State road from Atlas to the south line of Adams county.

On motion of Mr. Ross,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Hacker presented the petition of sundry citizens of Alexander county, praying for the location of a State road from the town of Caledonia to Santa Fee, on the Mississippi river.

On motion of Mr. Hacker,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Little presented the petition of sundry citizens of Hancock county, praying for the location of a State road from McComb to Appanoose; and, also, a road from McComb to a point opposite Burlington, in Iowa Territory.

On motion of Mr. Little,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Witt moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of constructing a railroad from Springfield, via Greenfield, Carrollton, and Kane, to Grafton, on the Mississippi river.

Mr. Borough, from the committee on Public Roads, to which was referred the resolutions and amendment in relation to giving the county commissioners' court, of their respective counties, power over all roads within the limits of their respective counties, reported a bill, entitled "An act authorizing the county commissioners' courts to establish and change State roads;" which was read the first time, and

Ordered to a second reading.

Mr. Thomas, from the committee on the Judiciary, which was instructed, by a resolution, to inquire into the propriety and necessity of passing a

law to prohibit betting on elections, reported a bill for "An act to prohibit betting on elections;" which was read the first time, and

Ordered to a second reading.

Mr. Davidson, from the same committee, to which was referred a bill, entitled a bill for "An act to provide for issuing executions in certain cases," reported the same back to the Senate without amendment, and recommended the passage of said bill.

Ordered to be engrossed for a third reading.

Mr. Thomas, from the committee on Canals and Canal Lands, to which was referred the bill for "An act to amend the act, entitled 'An act to protect canal lands against trespasses,' approved March 4, 1837," reported that the committee had had the same under consideration, and report the same back, with several amendments; in which they ask the concurrence of the Senate.

Mr. Gatewood moved to lay the bill with the proposed amendments on the table; which was not agreed to.

And the question recurring on the adoption of the amendments proposed by the committee, and a division of the question having been called for;

The question being first put upon all the amendments, except the amendment to the sixth section,

It was decided in the affirmative.

Mr. Weatherford moved to amend the amendment of the committee, in relation to the sixth section, by striking out the word "three," and inserting "four," in lieu thereof; which was agreed to;

And on the question—"Shall the bill as amended be engrossed and read a third time?"

It was decided in the affirmative—Yeas 22, nays 9.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fletcher, Greer, Hamlin, Harrison, Little, Mitchell, Moore, Murray, O'Rear, Ross, Servant, Stadden, Thomas, Turney, Weatherford, and Witt,—22.

Those who voted in the negative, are,

Messrs. Fithian, Gaston, Gatewood, Hacker, Herndon, Johnson, Peck, Richardson, and Wood—9.

On motion,

The Senate adjourned.

MONDAY, DECEMBER 31, 1838.

Senate met pursuant to adjournment.

Mr. Ross presented the petition of sundry citizens of Pike county, praying for a law to change a part of the State road from Gilead, in Calhoun county, to Pittsfield, in Pike county.

Mr. Ross moved that the reading of the same be dispensed with, and referred to the committee on Public Roads.

Mr. Borough moved to amend the motion, so as to make it a motion to lie on the table; which was not agreed to.

The question then recurring upon dispensing with the reading, and referring the same to the committee on Public Roads,

It was decided in the affirmative.

Mr. Browning presented the petition of Robert Tillson and others, praying for an act to incorporate the town of Quincy.

On motion of Mr. Browning,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Hacker moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That a select committee of five be appointed to examine the books of the Fund Commissioners, and report thereon.

Mr. Blackwell moved for adoption the following resolution, which lies on the table one day, viz:

Resolved by the Senate, the House of Representatives concurring herein, That the joint committee of both Houses on Finance be instructed to examine the Auditor's and Treasurer's offices; and report the result of their labors to the respective Houses, before the 2d Monday in January next.

Mr. Witt moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That a select committee be appointed, whose duty it shall be to draft a memorial to Congress, pressing on them the necessity of passing some law whereby the lost or unsurveyed lands within the military district in this State may be brought into market.

Mr. Peck moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of adding an additional Judge to the number now composing the Supreme Court; to report by bill or otherwise.

Mr. Thomas asked and obtained leave to introduce a bill, entitled a bill for "An act to authorize committees of the General Assembly to swear witnesses;" which was read the first time, and

Ordered to a second reading.

Mr. Stadden asked and obtained leave to introduce a bill, entitled "An act relating to the towns therein named;" which was read the first time and

Ordered to a second reading.

Mr. Browning asked and obtained leave to introduce a bill, entitled a bill for "An act to establish and maintain a uniform system of common schools;" which was read the first time; and,

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

On motion of Mr. Hacker,

The bill was laid on the table, and ordered to be printed.

Mr. Ross, from the select committee to which was referred the petition of sundry citizens of Pike county, praying for a change of the name of the town of Augusta to the name of Florence, reported a bill, entitled a bill for "An act to change the name of the town of Augusta, in Pike county;" which was read the first time, and

Ordered to a second reading.

Mr. Speaker laid before the Senate the following communication from the President of the Board of Commissioners of Public Works, viz:

CENTRAL OFFICE,

Vandalia, December 29, 1838.

SIR: In answer to the inquiries made in your resolution yesterday, the Board most respectfully refer your honorable body to their report to the Governor, which has been submitted to the Legislature, for a full, accurate, and detailed account of the subject of your resolution. Should any further information on the subject be thought necessary, it will afford the Board pleasure to impart any and every information in their possession.

Respectfully,

Your obedient servant,

WILLIAM KINNEY,

President of the Board of Commissioners
of Public Works of the State of Illinois.

WILLIAM PRENTISS, Secretary
of the Board of Public Works.

To the honorable the PRESIDENT
of the Senate.

Which was read, and,

On motion of Mr. Witt,

Laid on the table.

Mr. Gatewood moved that the communication just laid on the table be taken up for consideration; which was agreed to.

Whereupon, Mr. Gatewood moved that the Board of Public Works have leave to withdraw their communication; which was decided in the affirmative.

Mr. Richardson moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of constructing a railroad from Rushville, in the county of Schuyler, to the Illinois river.

Mr. Ross asked and obtained leave to introduce the petition of sundry citizens of Pike county, praying for a law to change a part of the State road leading from a point opposite Clarksville, in Missouri, to Pittsfield, in Pike county.

On motion of Mr. Ross,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Richardson presented the petition of sundry citizens of Schuyler county, praying for a State road from Mount Sterling to Macomb.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Peck moved that the Senate adjourn until Wednesday next, 10 o'clock, A. M.

Which was decided in the affirmative—Yeas 23, nays 15.

Those who voted in the affirmative, are,

Messrs. Blackwell, Davidson, Gatewood, Greer, Hacker, Hackelton,

Harrison, Little, Mills, Mitchell, Moore, Monroe, O'Rear, Peck, Richardson, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, and Witt—23.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Hamlin, Herndon, Johnson, Murray, Nunnally, Parrish, and Wood—15.

WEDNESDAY, JANUARY 2, 1839.

Senate met pursuant to adjournment.

Mr. Servant presented the petition of the President and Trustees of Union College, praying an amendment to the charter; and,

On motion of Mr Servant,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Little presented the petition of the county commissioners of Hancock county, praying for a confirmation of the survey of the town of Carthage, in said county; which was read, and,

On motion of Mr. Little,

Referred to the committee on Petitions.

Mr. Monroe presented the petition of of sundry citizens of Clark county, praying for an appropriation to build a bridge across Big creek, near Hogue's mill.

On motion of Mr. Monroe,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Gatewood presented the petition of sundry citizens of the several counties therein named, praying for further aid in the improvement of the Little Wabash river.

On motion of Mr. Gatewood,

The reading of the same was dispensed, and referred to the committee on Internal Improvements.

Mr. Gatewood presented the proceedings of a meeting of sundry citizens of Gallatin and White counties, in relation to the improvement of the Little Wabash river; which was read, and,

On motion of Mr. Gatewood,

Referred to the committee on Internal Improvements.

Mr. Servant presented the petition of the President and Trustees of Union college, praying an appropriation for said college; which was read, and,

On motion of Mr. Servant,

Referred to the committee on Education.

Mr. Gatewood presented the petition of Willis Little and others, praying for a divorce of the said Willis Little from his wife Ritty; which was read, and

On motion of Mr. Thomas,

Laid on the table.

Mr. Gatewood presented the petition of sundry citizens of New Haven and vicinity, in the counties of Gallatin and White, praying for an act of incorporation, &c.

On motion of Mr. Gatewood,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Gatewood, Davidson, and Mills, be that committee.

A message from the House of Representatives, by Mr. Hardin:

Mr. Speaker: The House of Representatives have adopted the following resolution, viz:

Resolved, That 3,000 copies of the report of the Commissioners of the Board of Public Works, ordered to be printed on Friday last by this House, be distributed among the members of the Senate and House of Representatives; and that the clerk inform the Senate of the adoption of this resolution.

The House of Representatives have passed bills for

"An act to amend an act, entitled 'An act to incorporate the Carmi Bridge Company,' approved February 6, 1835;"

"An act to amend an act, entitled 'An act authorizing a lottery to raise funds for the purpose of draining the ponds of the American bottom;"

"An act to vacate a part of an addition to Danville;"

"An act to repeal a certain act therein named;"

"An act supplemental to 'An act to incorporate the Rushville Railroad Company,' approved January 16, 1836;"

"An act to relocate a part of a certain State road therein named;"

"An act to prevent trespassing by cutting timber;"

"An act to repeal part of the act, entitled 'An act to incorporate the Kaskaskia Bridge Company;"

"An act relative to the town of Naples;"

"An act authorizing the Governor to commission the sheriff of Peoria county;"

"An act to establish the county of Marshall;" and

"An act for the relief of the late Warden of the Penitentiary;"

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of a bill, entitled "An act to amend the act, entitled 'An act for the relief of Nathaniel Pope and others,' approved 21st July, 1837."

They have concurred with the Senate in the adoption of the resolution having for its object the appointment of a joint select committee to investigate charges against Commissioners of the Board of Public Works, &c., as amended by them.

They amend by adding to the resolution, as follows:

"And that said committee be required to examine the books, accounts, and vouchers of the Commissioners of the Board of Public Works, and of the Fund Commissioners. That they also examine whether any of said Commissioners have violated any of the provisions of the "Act to establish and maintain a general system of Internal Improvement," or of any of the acts supplementary thereto; or whether any of said Commission-

ers have given such an interpretation to any of said acts as tends to the detriment of the State or to bring discredit and suspicion on the officers charged with the enforcement of said act; and that they have leave to report by bill or otherwise, if, in the opinion of said committee, the present laws have been found insufficient to protect the interests of the State. Said committee are hereby authorized to employ a clerk to keep a record of their proceedings, and to take down such testimony as the committee may direct. And the examination of all witnesses shall be made under oath."

They also amend by striking out all that part of the resolution which requires the committee on the part of the House to be composed of a member from each judicial circuit.

In which amendment they ask the concurrence of the Senate.

They have appointed Messrs. Thornton, Calhoun, Roman, French, Naper, Robinson, and Hardin, the committee on the part of the House. And he withdrew.

Mr. Wood presented the petition of sundry citizens of Washington county, praying an extension of the time of holding the circuit courts in said county.

On motion of Mr. Wood,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Peck moved the adoption of the following resolution, viz:

Resolved, That the Sergeant-at-arms be authorized to call to his assistance any competent person to aid him in the discharge of his duties; which was read, and,

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the resolution taken up for consideration, read, and adopted.

Mr. Monroe moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the law in relation to county commissioners, by authorizing the division of each county into three districts, and requiring one commissioner to be elected annually from each district; and report by bill or otherwise.

Mr. Thomas, from the committee on the Judiciary, to which was referred the petition of the inhabitants of the town of Lynnville, in Morgan county, reported that the committee have had the same under consideration, and report a bill, in conformity with the prayer of the petition, for "An act concerning the town of Lynnville;" which was read the first time, and

Ordered to a second reading.

Mr. Thomas asked and obtained leave to introduce a bill, entitled a bill for "An act to provide for a distribution and application of certain funds heretofore appropriated to certain counties for purposes of internal improvement;" which was read the first time, and

Ordered to a second reading.

Mr. Browning asked and obtained leave to introduce a bill, entitled a

bill for "An act to establish the Illinois Asylum for the education of the deaf and dumb;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Ross,

A bill for "An act for the relief of Robert Davis and others," some days since laid on the table, was taken up, and

Ordered to be engrossed for a third reading.

On motion of Mr. Blackwell,

The joint resolution, having for its object the examination of the offices of the Auditor and Treasurer, was taken up and read.

Mr. Thomas moved to strike out the word "joint," and insert the word "standing," in lieu thereof; which was agreed to.

Mr. Blackwell moved to amend, by striking out the words "2d Monday in January next," and insert in lieu thereof, "14th January, 1839;" decided in the affirmative.

And on the question—"Shall the resolution as amended be adopted?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bills from the House of Representatives, entitled:

A bill for "An act to amend an act to incorporate the Carmi Bridge Company, approved, February 6, 1835;"

"A bill for "An act to amend an act, entitled 'An act authorizing a lottery to raise funds for the purpose of draining the ponds of the American bottom;'"

A bill for "An act to vacate a part of an addition to the town of Danville;"

A bill for "An act to repeal a certain act therein named;"

A bill for "An act supplemental to an act to incorporate the Rushville Railroad Company, approved Jan. 16, 1836;"

A bill for "An act to relocate a part of a certain State road therein named;"

A bill for "An act to prevent trespassing by cutting timber;"

A bill for "An act to repeal part of the act, entitled "An act to incorporate the Kaskaskia Bridge Company;"

A bill for "An act relative to the town of Naples;"

A bill for "An act to establish the county of Marshall;" and

A bill for "An act for the relief of the late Warden of the Penitentiary;"

Were severally read the first time, and

Ordered to a second reading.

A bill from the House of Representatives, entitled "An act authorizing the Governor to commission the sheriff of Peoria county," was read the first time, and

Ordered to a second reading; and,

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, and the bill read a second time, and,

On motion of Mr. Richardson,

Referred to the committee on Elections.

The message just received, containing the amendments of the House of

Representatives to a joint resolution having for its object the appointment of a joint select committee to investigate charges against Commissioners of the Board of Public Works, &c., was read, and,

On the question—"Will the Senate concur with the House of Representatives in their amendment thereto?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The resolution offered by Mr. Witt, relative to the construction of a railroad from Springfield to Grafton, &c., was read, and

Mr. Witt moved to amend the same by inserting after the word "Kane," "Jerseyville," which was agreed to.

And on the question—"Shall the resolution as amended be adopted?"

It was decided in the affirmative.

The resolution offered by Mr. Servant, in relation to an appropriation for the improvement of the Kaskaskia river, was read and adopted.

The resolution offered by Mr. Hacker, having for its object the appointment of a committee of five to examine the books of the Fund Commissioners, &c., was read and,

On motion of Mr. Hacker,

Laid on the table.

The resolution offered by Mr. Peck, in relation to the expediency of adding an additional Judge to the Supreme Court, was read and adopted.

The resolution offered by Mr. Witt, having for its object the appointment of a select committee to draft a memorial to Congress in relation to the unsurveyed lands, was read and adopted.

Ordered, That Messrs. Witt, Browning, and Richardson, be that committee.

The resolution offered by Mr. Richardson, relative to the construction of a railroad from Rushville to the Illinois river, was read and adopted.

A bill for "An act supplemental to an act, entitled 'An act to erect certain bridges,' approved January 22, 1831," was read the second time, and,

On motion of Mr. Butler,

Referred to the committee on the Judiciary.

A bill for "An act to increase the corporate powers of the town of Chester;"

A bill for "An act to change the name of the town of Augusta, in Pike county;" and

A bill for "An act to authorize committees of the General Assembly to swear witnesses;"

Were severally read the second time, and

Ordered to be engrossed for a third reading.

A bill for "An act to prohibit betting on elections," was read the second time, and,

On the question—"Shall the bill be engrossed and read the third time?"

It was decided in the affirmative—Yeas 25, nays 13.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill,

Fletcher, Gaston, Gatewood, Greer, Hackelton, Hamlin, Harrison, Herndon, Hunter, Little, Mitchell, Moore, Murray, O'Rear, Parrish, Ross, Servant, Thomas, and Wood—2.

Those who voted in the negative, are,

Messrs. Davidson, Fithian, Hacker, Johnston, Mills, Monroe, Nunnally, Peck, Richardson, Stadden, Turney, Weatherford, and Witt—13.

"An act authorizing the county commissioners' courts to establish and change State roads," was read a second time, and

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative—Yeas 21, nays 17.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Fithian, Gaston, Gatewood, Hacker, Hackelton, Harrison, Herndon, Hunter, Mills, Mitchell, Moore, Murray, Parrish, Peck, Servant, Turney, Witt, and Wood—21.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Davidson, Fletcher, Greer, Hamlin, Johnston, Little, Monroe, Nunnally, O'Rear, Richardson, Ross, Stadden, Thomas, and Weatherford—17.

"An act relating to the towns therein named," was read the second time, and,

On motion of Mr. Stadden,

Referred to the committee on the Judiciary.

A message from the House of Representatives, by Mr. Johnson, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following order, viz:

Ordered, That the Clerk be excused from placing the report of the Canal Commissioners upon the journal, that the report be laid on the table, that 5,000 copies thereof be printed, 2,500 thereof for the use of the members of the Senate and House of Representative, 500 thereof for the use of the Canal Commissioners, and that the remaining 2,000 copies be placed in the Secretary of State's office, to be distributed with the journals; also, that the Clerk inform the Senate of this order. And he withdrew.

The engrossed bills, entitled

A bill for "An act to amend an act to incorporate the Mississippi and Rock River Canal Company;"

A bill for "An act to change the name of the town of Geneva, in the county of Warren;"

A bill for "An act to amend an act concerning judgments and executions;"

A bill for "An act to amend an act, entitled 'An act to incorporate the Cairo City and Canal Company;'"

Were severally read the third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bills.

The engrossed bill, entitled a bill for "An act to provide for issuing executions in certain cases," was read a third time and passed.

On motion of Mr. Thomas,

The title of the bill was amended so as to make it read, a bill for "An act further amending an act, entitled 'An act to provide for the election

of justices of the peace and constables,' approved 30th December, 1826."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A bill for "An act to amend an act, entitled 'An act to protect the canal lands against trespasses,' approved 4th March, 1837," was read the third time, and,

On motion of Mr. Thomas,

Laid on the table.

The resolution offered by Mr. Gatewood in relation to the deposits of public money without the limits of the State of Illinois—and

The resolution offered by Mr. Thomas, proposing certain amendments to the internal improvement law, some days since laid on the table, were,

On motion of Mr. Gatewood,

Taken up, and placed among the orders of the day.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 3, 1839.

Senate met pursuant to adjournment.

Mr. Witt presented the petition of the county commissioners of Calhoun county, with the accompanying documents, praying an appropriation, &c.

On motion of Mr. Witt,

The reading of the same was dispensed with, and referred to the committee on Public Accounts and Expenditures.

Mr. Gaston presented the petition of Hiram R. Hawley and others, praying for the passage of a law to legalize the conveyance of certain real estate; which was read, and,

On motion of Mr. Gaston,

Referred to the committee on the Judiciary.

Mr. Ross moved for adoption the following resolution, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of providing by law for the duration and tenure of the office of the Secretary of State, also of the clerks of the circuit courts in the several counties of this State, and that they report by bill or otherwise.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and the resolution taken up, read, and adopted.

Mr. Davidson moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved by the Senate, That the Auditor of Public Accounts be, and he is hereby, required to issue his warrant for one hundred dollars, in favor of Joseph Warren, Assistant Sergeant-at-arms of the Senate.

Mr. Little, from the committee on Petitions, to which was referred the petition of the county commissioners of Hancock county, praying for a

confirmation of a survey of the town of Carthage, in said county, reported a bill, entitled a bill for "An act to legalize the survey of the town of Carthage;" which was read the first time, and

Ordered to a second reading.

Mr. Borough asked and obtained leave to introduce a bill, entitled a bill for "An act to incorporate the Central Seminary of Illinois;" which was read the first time, and

Ordered to a second reading.

Mr. Servant asked and obtained leave to introduce a bill, entitled a bill for "An act to incorporate the Chester Insurance Company;" which was read the first time, and

Ordered to a second reading.

Mr. Witt asked and obtained leave to introduce a bill, entitled a bill for "An act to amend an act, entitled 'An act to amend the several acts in relation to common schools;'" which was read the first time, and

Ordered to a second reading.

Mr. Herndon asked and obtained leave to introduce a bill, entitled a bill for "An act to amend the act, entitled 'An act to regulate the interest of money;'" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and the bill read a second time, and referred to the committee on the Judiciary.

Mr. Thomas asked and obtained leave to introduce the following resolution, which lies on the table one day, viz:

Resolved by the General Assembly of the State of Illinois, That the Secretary of State be directed to purchase, for the use of the State, any number of copies of Breese's Reports of the Decisions of the Supreme Court of this State, not exceeding fifty, at a price not exceeding two dollars and fifty cents per volume.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and the resolution taken up, read, and adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution offered by Mr. Monroe, in relation to amending the law relative to county commissioners, &c., was read and adopted.

A message from the Governor, by Mr. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And then he withdrew.

The resolutions offered by Mr. Gatewood, in relation to the deposits of public money without the limits of the State of Illinois, was read.

Mr. Hacker moved to lay the resolutions on the table; which was not agreed to.

Mr. Hacker moved to strike out all of said resolutions after the word "Resolved."

On motion,

The Senate adjourned until two o'clock P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question now recurring on the motion of Mr Hacker to strike out all of said resolutions after the word "Resolved,"

On motion,

The Senate adjourned.

FRIDAY, JANUARY 4, 1839.

Senate met pursuant to adjournment.

Mr. Parrish presented the petition of sundry citizens of Franklin county, praying for a State road from Frankfort, in Franklin county, to Maysville, in Clay county.

On motion of Mr. Parrish,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Parrish, Johnston, and Blackwell, be that committee.

The resolutions offered by Mr. Gatewood being taken up for consideration, and the question recurring on the motion of Mr. Hacker to strike out all of said resolutions after the word "Resolved,"

It was decided in the negative—Yeas 11, nays 26.

Those who voted in the affirmative, are,

Messrs. Gaston, Hacker, Herndon, Johnston, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, and Weatherford—11.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Hunter, Little Mills, Mitchell, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, Witt, and Wood—26.

Mr. Parrish moved to amend by striking out all after the word "Resolved," and insert the following:

That we deem the law of Congress now in force, creating a discrimination between the Banks of different States, as depositories of the public money, favorable to some and prejudicial to others, inexpedient in so far as this discrimination is made; and that we therefore hereby respectfully request our Representatives and instruct our Senators in Congress to use the influence of their stations, to so modify the laws and regulations now in force relative to this subject as to place all banks of equal merits and solvency on the same footing, *in respect to each other*, in relation thereto.

Resolved, That, by the above resolution, we have intended only to express our opinion of the policy of any discrimination between Banks of different States of equal merit, &c.; and not our opinions upon the alternatives of the State Bank deposit system and the Constitutional Treasury.

Mr. Borough called for a division of the question,

And on the question—"Will the Senate strike out all after the word 'Resolved?'"

It was decided in the negative—Yeas 15, nays 22.

Those who voted in the affirmative, are,

Messrs. Gaston, Hacker, Hackelton, Herndon, Hunter, Johnston, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—15.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Little, Mills, Mitchell, Moore, Murray, O'Rear, Ross, Servant, and Thomas—22.

Mr. Hacker moved to amend the resolutions by striking out all of the first resolution after the word "Illinois," in the first line, and the word "Resolved" in the second resolution;

Which was decided in the negative—Yeas 12, nays 26.

Those who voted in the affirmative, are,

Messrs. Hacker, Hackelton, Herndon, Johnston, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, and Witt—12.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Greer, Hamlin, Harrison, Hunter, Little, Mills, Mitchell, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Wood—26

Mr. Hacker moved to amend the third resolution, by striking out all between the words "that," in the first line, and "composure," in the third line;

Whereupon, Mr. Davidson moved the previous question.

And on the question—"Shall the main question be now put?"

It was decided in the affirmative—Yeas 20, nays 18.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, and Thomas—20.

Those who voted in the negative, are,

Messrs. Butler, Gaston, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—18.

The question then recurring on the adoption of the resolutions,

It was decided in the affirmative—Yeas 25, nays 13.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Gatewood, Greer, Hamlin, Harrison, Hunter, Little, Mills, Mitchell, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Wood—25.

Those who voted in the negative, are,

Messrs. Gaston, Hacker, Hackelton, Herndon, Johnston, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, and Witt—13.

Ordered, That the Secretary inform the House of Representatives hereof and ask their concurrence therein.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the adoption of the resolution providing for an examination of the Auditor's and Treasurer's offices by the committee on Finance of both Houses.

They have passed bills of the following titles, viz:

"An act to incorporate the Menard Academy of Kaskaskia;"

"An act to incorporate the town of Warsaw;"

"An act in relation to garnishees;"

"An act to vacate certain alleys in the town of Tremont;"

"An act to incorporate the Warsaw University of Illinois;"

"An act to grant a compensation to the Brigade Inspector of the first brigade and third division of Illinois militia;"

"An act for the relief of the inhabitants of township number two south range eight east, in Wayne county;"

"An act for the relief of the securities of Thomas Moore;"

"An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions, and for avoiding vexatious law suits;'"

"An act to authorize Benjamin McKay and others to lay off additional lots in the town of Stephenson, in Rock Island county;" and

"An act making an appropriation for the Penitentiary."

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of a bill, entitled "An act legalizing process issued by judges and justices of probate." And he withdrew.

Mr. Richardson, from the committee on Elections, to which was referred a bill from the House of Representatives, entitled "An act authorizing the Governor to commission the sheriff of Peoria county," reported the same back with an amendment; in the adoption of which they ask the concurrence of the Senate.

Mr. Gatewood moved that the Senate adjourn.

Which was decided in the affirmative—Yeas 21, nays 16.

Those who voted in the affirmative, are,

Messrs. Allen, Butler, Davidson, Fletcher, Gatewood, Hacker, Hamlin, Harrison, Little, Mills, Mitchell, Moore, Murray, O'Rear, Parrish, Richardson, Ross, Servant, Thomas, Turney, and Witt—21.

Those who voted in the negative, are,

Messrs. Borough, Browning, Churchill, Fithian, Gaston, Greer, Hackelton, Herndon, Hunter, Johnston, Monroe, Nunnally, Peck, Stadde, Weatherford, and Wood—16.

SATURDAY, JANUARY 5 1839.

Senate met pursuant to adjournment.

Mr. Witt moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the criminal law so as to make it criminal offence for any person to sell any personal property, on which

any execution legally issued is levied; and that they report by bill or otherwise.

Mr. Turney, from the committee on the Judiciary, to which was referred a bill for "An act relating to the appointment of Attorney General and State's Attorneys," reported the same back without amendment, and recommended the rejection of the same.

On motion of Mr. Hacker,

Laid on the table.

Mr. Turney, from the same committee, to which was referred a bill for "An act relating to the towns therein named," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed for a third reading

Mr. Little, from the same committee, to which was referred a bill from the House of Representatives for "An act, entitled 'An act to provide for the collection of demands growing out of contracts for sales of the possession of the public lands,'" reported the same back with an amendment; in the adoption of which they ask the concurrence of the Senate.

And on the question—"Will the Senate concur with the committee in the adoption of said amendment?"

It was decided in the affirmative.

Ordered, That the bill as amended be read a third time.

Mr. Davidson, from the same committee, to which was referred the petition of Hiram R. Hawley and others, praying for the passage of "a law for the benefit of the persons therein named," reported the same back without amendment, and asked to be discharged from a further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report.

It was decided in the affirmative.

Mr. Davidson, from the same committee, to which was referred, a bill for "An act to repeal a part of the criminal code," reported the same back without amendment, and recommended the rejection of said bill.

Mr. Thomas moved to strike out all after the enacting clause;

Which was decided in the affirmative—Yeas 35, nays 1.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Greer, Hacker, Hamlin, Harrison, Herndon, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, Parrish, Peck, Ross, Servant, Thomas, Turney, Warren, Weatherford, Witt, and Wood—35.

Mr. Stadden voting in the negative—1.

On motion of Mr. Peck,

Referred to the committee on Finance.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a resolution requiring the committee to inquire into the expediency of changing the present railroad system to that of Macadamized roads, reported the same back to the Senate, and asked to be discharged from the further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative—Yeas 25, nays 12.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Churchill, Fletcher, Gaston, Gatewood, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Johnston, Little, Mills, Mitchell, Monroe, Parrish, Peck, Stadden, Thomas, Turney, Warren, Weatherford, and Wood—25.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Davidson, Fithian, Hunter, Moore, Nunnally, O'Rear, Ross, Servant, and Witt—12.

Mr. Witt, from the select committee to which was referred the resolution in relation to the unsurveyed lands in the State of Illinois, reported the following preamble and resolution, viz:

Whereas there is a large quantity of unsurveyed land lying within the military tract in this State, all of which is now occupied by industrious and actual settlers, whose interest as well as the interest of the State and the General Government require that these lands should be surveyed and brought into market: therefore,

Resolved by the Senate, the House of Representatives concurring herein, That our Senators in Congress be instructed, and our Representatives be requested, to procure the passage of a law to provide for the surveying and selling the aforesaid lands.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Herndon asked and obtained leave to introduce a bill, entitled "A bill regulating tavern and grocery license;" which was read the first time, and

Ordered to a second reading.

Mr. Witt asked and obtained leave to introduce a bill, entitled a bill for "An act to authorize Philip Jarbor and Harvey M. Jarbor, to establish a ferry across the Illinois river;" which was read the first time, and

Ordered to a second reading.

Mr. Monroe moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Roads be instructed to inquire into the expediency of a law for the construction of a public road from the bridge at Cahokia creek, at Illinois town, to the river opposite St. Louis; and report by bill or otherwise.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act to vacate the plat of the town of Peru, in the county of McLean;"

"An act to repeal part of an act, entitled 'An act to provide for the sale of certain canal lands, and for other purposes.'"

Also as correctly enrolled, the following resolutions:

A resolution in relation to unsurveyed lands in Illinois.

A resolution in relation to granting pre-emption rights.

A resolution asking of Congress a bounty to soldiers of the late war; and

A preamble and resolutions for the establishment of a mail route from Carlyle to the mouth of the Ohio.

Mr Hackelton, from the same committee, reported that on this day they laid the bills above mentioned before the Council of Revision, and delivered the resolutions to the Governor.

Mr. Fithian asked and obtained leave to introduce a bill, entitled a bill for "An act authorizing the building of certain bridges, and changing certain appropriations;" which was read the first time, and

Ordered to a second reading.

Mr. Nunnally moved that the rule of the Senate be dispensed with, and the bill read a second time; which was not agreed to.

Mr. Nunnally asked and obtained leave to introduce a bill, entitled a bill for "An act providing for the improvement of certain roads in Edgar county;" which was read the first time, and

Ordered to a second reading.

Mr. Parrish moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the propriety of improving the navigation of Big Muddy river by slack-water navigation or otherwise, and report by bill or otherwise.

Mr. Johnston moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be and they are hereby requested to inquire into the expediency of amending the law in relation to railroads in this State, so as to provide for the location of the Central railroad through Salem, in Marion county, Mount Vernon, in Jefferson county, and Frankfort, in Franklin county; and (if they be of opinion that such alteration will not be injurious to said system generally, but that it will better promote the interests of the State) that they report a bill containing those provisions.

Mr. Blackwell moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the committee on Internal Improvements be instructed to inquire into the expediency and propriety of making an appropriation, preparatory to the making of the great western mail route, from Vincennes to St. Louis, a good substantial Macadamized road.

Mr. Servant moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Education inquire into the expediency of making an appropriation to defray the expense of a geological survey of this State.

Mr. Gaston presented the petition of James Taylor and Reuben Hagerman, praying for a charter of a ferry over the Kaskaskia river, in Clinton county.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Petitions.

The bill from the House of Representatives, entitled "An act authorizing the Governor to commission the sheriff of Peoria county," was taken up.

And the question recurring on the adoption of the amendment of the committee on Elections,

It was decided in the negative.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and the bill read a third time by its title.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act to incorporate the town of Danville;"

"An act to relocate the seat of justice of Livingston county;"

"An act for the relief of settlers upon the public lands;"

"An act to change an appropriation made to the county of Lawrence;"

"An act supplemental to the act, entitled 'An act to define the extent of possession in cases of settlement on the public lands,' approved Feb. 27, 1837;" and

"An act to sell the property of Eliakim Russell."

In the passage of which several bills they ask the concurrence of the Senate. And he withdrew.

On motion of Mr. Browning,

The bill, entitled a bill for "An act to authorize committees of the General Assembly to swear witnesses," was taken up and read a third time.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the passage of bills of the following titles, viz:

"An act to amend an act, entitled 'An act to prevent trespasses by cutting timber,' approved Feb. 27, 1819;"

"An act to incorporate the Mechanic Association and Galena Beneficial Society;"

"An act legalizing the assessment of the property taken in the county of Peoria for 1838;"

"An act in relation to the town of Bloomington;" and

"An act to provide for settling the accounts between the State and the Illinois and Michigan canal."

They have also concurred with the Senate in the passage of a bill, entitled "An act to authorize Edmund White to establish a ferry across the Mississippi," as amended by them.

They have also amended the title of said bill by striking out the word "Edmund," and inserting "Edward;" in which amendments to the bill and title, they ask the concurrence of the Senate. And he withdrew.

On motion of Mr. Thomas,

The bill some days since laid on the table, entitled a bill for "An act concerning landlords and tenants," was taken up and referred to the committee of the Whole, and made the order of the day for to-day.

On motion of Mr. Churchill,

The bill from the House of Representatives, entitled a bill for "An act making an appropriation for the Penitentiary," was taken up, read the first time, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Penitentiary.

On motion of Mr. Hacker,

The Senate resolved itself into a committee of the Whole on the bill, entitled a bill for "An act concerning landlords and tenants:" Mr. Ross in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Ross reported that the committee of the Whole had, according to order, had said bill under consideration, made some progress therein, and had directed him to ask leave to sit again.

And on the question—"Shall the committee have leave to sit again?" It was decided in the affirmative.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Hacker,

The Senate again resolved itself into a committee of the Whole on the bill, entitled a bill for "An act concerning landlords and tenants:" Mr. Ross in the chair, and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Ross reported that the committee of the Whole had, according to order, had said bill under consideration, and had made some amendments thereto, and had directed him to report the same back to the Senate, and ask their concurrence therein.

On the question—"Will the Senate concur with the committee in their amendments to said bill?"

It was decided in the affirmative.

Mr. Monroe moved to amend by striking out all that part of the bill after the first section;

Which was decided in the negative—Yeas 15, nays 21.

Those who voted in the affirmative, are,

Messrs. Borough, Davidson, Gaston, Hacker, Hackelton, Herndon, Johnston, Mills, Mitchell, Monroe, Nunnally, Parrish, Richardson, Warren, and Witt—15.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Fithian, Fletcher,

Greer, Hamlin, Harrison, Hunter, Little, Moore, Murray, O'Rear, Peck, Ross, Servant, Thomas, Weatherford, and Wood—21.

Mr. Fithian moved to amend by adding the following, as the 17th section, and making the 17th section the 18th, and the 18th the 19th, viz:

"If any tenant for life, lives, or for years, who shall have come into possession of any lands or tenements by any means whatever, shall willfully hold over any lands, tenements or hereditaments after the expiration of the term for which said premises may have been leased, or after forfeiture of the possession thereof, when demand made in writing, for the possession thereof, by the landlord, lessor, or lessors, or the person to whom the remainder or reversion of such lands, tenements, or hereditaments shall belong—such person so holding over shall, for the time such landlord or rightful owner be so kept out of possession, pay to the person or persons so kept out of possession, or their legal representatives, at double the rate of rent for which said lands, tenements, or hereditaments may have been rented or leased, which shall be recovered as other rents are;" which was agreed to.

And on the question—"Shall the bill as amended be engrossed for a third reading?"

It was decided in the affirmative.

On motion,

The Senate adjourned.

MONDAY, JANUARY 7, 1839.

Senate met pursuant to adjournment.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act legalizing process issued by judges and justices of probate;"

"An act to amend an act, entitled 'An act for the relief of Nathaniel Pope and others,' approved July 21, 1837."

Mr. Hamlin presented the petition of sundry citizens of Peoria county relative to the draining a certain pond therein named; which was read, and,

On motion of Mr. Hamlin,

Referred to the committee on Internal Navigation.

Mr. Fithian presented the petition of sundry citizens of Vermilion county, praying the establishment of a State road.

On motion of Mr. Fithian,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Stadden presented the petition of the citizens of the town of La Salle, for the improvement of the Illinois river.

Mr. Witt moved to refer the same to the committee on Internal Navigation; which was not agreed to.

On motion of Mr. Stadden,

Referred to the committee on Internal Improvements.

Mr. Witt moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of making an appropriation to improve the navigation of the Macoupin and Apple creeks, in Greene county; and that they report by bill or otherwise.

Mr. Wood moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on School Lands and Education be instructed to inquire into the expediency of providing by law for leasing of all ferries, bridges, &c., which may be situated on any of the unappropriated sixteenth sections in this State, and apply the proceeds of the same to the school fund of the township in which such ferries or bridges may be situated.

Mr. Churchill, from the committee on the Penitentiary, to which was referred a bill from the House of Representatives, entitled a bill for "An act making an appropriation for the Penitentiary," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Churchill,

The bill was read a third time by its title; and,

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Davidson, from the committee on the Judiciary, to which was referred a bill, entitled a bill for "An act supplemental to an act, entitled 'An act to erect certain bridges,' approved January 22, 1831," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed for a third reading.

Mr. Davidson, from the same committee, to which was referred a bill, entitled a bill for "An act to authorize limited partnerships," reported the same back with several amendments thereto; in the adoption of which they asked the concurrence of the Senate; and,

On the question—"Will the Senate concur with the committee in their amendments to said bill?"

It was decided in the affirmative.

Ordered, That the bill as amended be engrossed for a third reading.

Mr. Speaker laid before the Senate the following communication from the Auditor of Public Accounts, viz:

AUDITOR'S OFFICE, ILLINOIS,

Vandalia, January 7, 1839.

SIR: I have the honor to submit herewith a condensed statement showing the condition of schools in the State for the year 1837, so far as returns have been made to this office. I have delayed thus long to communicate this information, under a hope that some further returns would be received.

I am, sir, very respectfully,

Your obedient servant,

LEVI DAVIS,

Auditor Public Accounts.

To Hon. the SPEAKER of the Senate.

A STATEMENT showing the condition of Schools in the State of Illinois, for the year ending December 31, 1837, so far as returns have been made by School Commissioners, pursuant to the provisions of "An act to amend the several acts in relation to Common Schools," approved March 4, 1837.

Amount of township funds, January 1, 1838.			Number of schools taught 1837.	Number of scholars taught, for 1837.	Aggregate length of time each school was taught.	Am't rec'd by each township from interest on school, college, & sem'ry fund.	Am't of interest in hands of school com'ts, forming a county school fund.	Am't expended for all other purposes, than in paying teachers.
Counties.	Amount of principal.	Amount of interest.						
Macoupin	\$3,889 64	\$180 91	4	206	33 months	\$171 87	\$494 69	\$5 00
Vermilion	15,307 17	1,019 69	-	-	-	-	1,956 60	421 55
La Salle	6,777 16	468 34	8	-	15	61 30	876 70	405 36
Macon	5,690 90	538 58	3	201	14	158 08	-	740 56
Cook	38,625 47	2,598 55	6	300	-	-	1,837 28	75 54
Cass	8,877 40	-	-	3	2	-	-	-
Effingham	-	-	4	170	14	-	-	-
Franklin	117 00	1 82	1	56	3	29 56	524 81	21 30
Champaign	6,758 80	336 79	15	539	75	760 00	650 12	43 76
Randolph	5,934 81	5 13	1	24	3	17 50	405 87	-
Marion	1,019 32	8 31	4	98	15	-	667 24	557 73
Johnson	133 16	1,873 57	32	1,115	-	696 36	284 73	7 50
Fulton	18,603 23	582 25	4	37	3	28 00	485 70	157 30
Wayne	50 00	-	1	201	21	-	176 40	44 00
McDonough	10,282 60	789 13	7	201	9	37 75	68 70	160 51
Alexander	1,088 56	97 82	2	42	20	-	-	128 50
Rock Island	8,439 72	811 54	4	71	-	-	-	280 06
Peoria	19,441 20	1,486 50	22	442	-	-	-	292 37
Morgan	40,445 73	4,600 50	73	2,094	18	-	56 02	3 10
Coles	11,148 70	1,787 03	6	250	30	48 01	188 85	480 12
Jackson	-	-	8	165	27	-	216 18	44 42
Putnam	21,484 19	1,270 53	-	534	9	-	890 09	43 61
Pope	4,670 40	685 75	3	75	87	227 24	516 82	-
Perry	312 94	37 54	28	814	42	297 93	250 00	-
Union	2,711 59	-	11	-	32	158 26	-	-
Monroe	3,082 51	-	5	200	361	2,362 20	191 44	654 50
Sangamon	30,094 49	561 01	78	5,000	69	704 29	534 06	232 69
Tazewell	6,502 62	474 33	33	385	63	715 64	1,048 00	439 01
Saint Clair	10,132 21	74 69	-	731	21	501 77	-	-
Fayette	6,211 45	390 26	7	320	-	-	-	180 88

On motion of Mr. Browning,

The reading of the same was dispensed with, laid on the table, and ordered to be printed.

A message from the House of Representatives, by Mr. Johnson, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act to legalize the sale of section sixteen in township nine north, range two east, in Knox county;"

"An act to incorporate the Invincible Dragoons of the second division of Illinois militia."

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of their bills, entitled as follows:

"An act to amend an act to incorporate the Mississippi and Rock River Canal Company;"

"An act to change the name of the town of Geneva, in the county of Warren;"

"An act further amending the act, entitled 'An act to provide for the election of justices of the peace and constables,' approved December 30, 1826;" and

"An act to authorize committees of the General Assembly to swear witnesses."

And also, in their resolution relative to the unsurveyed lands in the military tract, in this State.

They have refused to concur in the resolution of the Senate, authorizing the Secretary of State to purchase any number of copies of Breese's Reports, not exceeding fifty, &c. And he withdrew.

Mr. Davidson, from the committee on the Judiciary, to which was referred a resolution relative to dividing counties into districts, &c., reported that the committee had had said resolution under consideration, and had directed him to report the same back to the Senate, and ask to be discharged from a further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Speaker laid before the Senate the petition of J. G. Gorney and others, in relation to the improvement of the Illinois river; which was read.

Mr. Witt moved to refer the same to the committee on Internal Improvements.

Mr. Hacker moved to amend the motion so as to make it a motion to refer to the committee on Internal Navigation; which was decided in the affirmative.

The resolutions offered by Mr. Thomas, in relation to certain amendments to the Internal Improvement law, was taken up, and,

On motion of Mr. Thomas,

Referred to the committee of the Whole, and made the order of the day for some day after Monday next.

The resolution offered by Mr. Ross, in relation to the duration and

tenor of the offices of Secretary of State and Clerks of the circuit courts, was read and adopted.

The resolution offered by Mr. Witt, relative to the expediency of amending the criminal law, &c. was read and adopted.

The resolution offered by Mr. Monroe, in relation to the construction of a road from the bridge at Cahokia creek to the river opposite St. Louis, was read, and,

On motion of Mr. Monroe,

Laid on the table.

The resolution offered by Mr. Parrish, in relation to the improvement of the Big Muddy river, &c., was read.

Mr. Hacker moved to amend by striking out the word "improvement," and inserting "navigation;" which was agreed to.

And on the question—"Shall the resolution as amended be adopted?"

It was decided in the affirmative.

The resolution offered by Mr. Johnston, in relation to the expediency of amending the law in relation to railroads, &c., was taken up and read.

Mr. Thomas moved to amend by adding the following, viz :

"That said committee also inquire into the propriety of purchasing the towns named in the foregoing resolution, and remove said towns to the road, instead of running the road to said towns."

Mr. Peck moved to amend the amendment, by adding the following, to wit:

"By inquiring into the expediency of purchasing the town of Meredosia, in Morgan county, so as to enable the Northern Cross Railroad to pursue a direct course from Jacksonville to Quincy;"

Which amendment was accepted as a modification, and the amendment was then adopted.

Mr. Witt moved to reconsider the vote taken on the amendment; which was not agreed to.

Mr. Monroe moved to further amend by adding the following, viz :

"And that the committee on Internal Improvements be instructed to inquire into the expediency of withholding the benefits of the system of Internal Improvements from those counties that seem displeased at having the system forced on them;" which was not agreed to.

Mr. Gatewood moved to reconsider the vote given on the motion of Mr. Witt to reconsider the vote taken on the amendment; which was agreed to;

And the question recurring on the reconsideration of the vote given on the amendment,

It was decided in the affirmative.

Whereupon,

On motion of Mr. Gatewood,

The amendment was laid on the table.

The question now recurring on the adoption of the resolution,

It was decided in the affirmative.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, a bill entitled "An act to authorize committees of the General Assembly to swear witnesses."

On motion,

The Senate adjourned.

TUESDAY, JANUARY 8, 1839.

Senate met pursuant to adjournment.

Mr. Richardson presented the petition of Willis Moffet and other citizens of Schuyler county, praying a change in the road leading from Rushville to Warsaw.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Richardson presented the petition of David Manlove and others, praying a change in the State road from Rushville, in Schuyler county, to Commerce, in Hancock county.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Little presented the petition of sundry citizens of Hancock county, praying for the repeal of all laws authorizing the sale of intoxicating liquors; which was read, and,

Mr. Little moved to refer the same to the committee on Finance; which was not agreed to.

Mr. Borough moved to refer the petition to the committee on School Lands and Education; which was decided in the negative; and,

On motion of Mr. Hacker,

Referred to the committee on the Judiciary.

Mr. Butler presented the petition of George H. Wright, praying that the survey of a block of lots in the town of Monmouth may be set aside and vacated.

On motion of Mr. Butler,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Harrison presented the petition of George W. Jones, for license to keep a ferry across the Mississippi river from Jordan's ferry to Du Buque; which was read, and,

On motion of Mr. Harrison,

Referred to the committee on the Judiciary.

Mr. Thomas presented the petition of sundry citizens of Cass and Morgan counties, praying for the establishment of a State road from Beardstown, via Arenz's mill, Morgan city, and Lynnville, to Manchester; which was read, and,

On motion of Mr. Thomas,

Referred to the committee on Public Roads.

A message from the Council of Revision, by Mr. McLean, their Clerk:

Mr. Speaker: The Council of Revision have approved the following acts:

"An act to authorize committees of the General Assembly to swear witnesses;" and

"An act legalizing process issued by judges and justices of probate." And he withdrew.

Mr. Ross moved for adoption the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Navigation be and they are hereby instructed to inquire into the expediency and practicability of improving the navigation of the North fork of McKee's creek, from its confluence with the Illinois river as far up as Chambersburg, in Pike county; and that they report by bill or otherwise.

Mr. Ross, from the committee on Public Accounts and Expenditures, to which was referred the petition of the county commissioners of Calhoun county, praying for relief, reported that the committee had had the same under consideration, and had directed him to report the same back to the Senate, and ask to be discharged from a further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Whereupon,

On motion of Mr. Witt,

The petition and accompanying documents were referred to a select committee.

Ordered, That Messrs. Witt, Browning, and Harrison, be that committee.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 9, 1839.

Senate met pursuant to adjournment.

Mr Hackelton, from the committee on Enrolled Bills, reported that on Monday they laid before the Council of Revision, bills of the following titles:

"An act legalizing process issued by judges and justices of probate;"

"An act to amend an act, entitled 'An act for the relief of Nathaniel Pope and others,' approved July 21, 1837;" and

"An act to authorize committees of the General Assembly to swear witnesses."

Mr. Harrison presented the petition of sundry citizens of Whiteside county, praying for a review of the State road from Galena to Prophet's-town.

On motion of Mr. Harrison,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Parrish presented the petition of sundry citizens of Franklin county, in relation to Internal Improvements.

On motion of Mr. Parrish,

The reading of the same was dispensed with, and referred to the committee on Internal Improvements.

Mr. Churchill presented the petition of sundry citizens of Madison county, praying the repeal of all laws authorizing the sale of intoxicating liquors; which was read, and,

On motion of Mr. Ross,

Referred to the committee on the Judiciary.

Mr. Churchill presented the petition of sundry citizens of the county of Madison, praying the repeal of all laws authorizing the sale of intoxicating liquors; which was read, and,

On motion of Mr. Weatherford,

Referred to the committee on the Judiciary.

Mr. Gibbs moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of surveying and locating the Central railroad through the town of Vienna, in Johnson county.

Mr. Little, on leave given, introduced a bill, entitled a bill for "An act to provide for publishing the decisions of the Supreme Court;" which was read the first time, and

Ordered to a second reading.

Mr. Wood, from the committee on Petitions, to which was referred the petition of sundry citizens of Clark county, praying for an appropriation to build a bridge across Big creek, in said county, reported that the committee had had said petition under consideration, and had directed him to report the same back to the Senate, and ask to be discharged from a further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Harrison, on leave given, introduced a bill, entitled a bill for "An act for the relief of the judge of the sixth judicial circuit of the State of Illinois;" which was read the first time, and

Ordered to a second reading.

Mr. Peck, on leave given, introduced a bill, entitled a bill for "An act to vacate the survey and plat of the town of Middletown:" which was read the first time, and

Ordered to a second reading.

Mr. Thomas, on leave given, introduced a bill, entitled a bill for "An act to amend the act, entitled 'An act to provide for changing the venue in civil and criminal cases,' approved January 23, 1827;" which was read the first time, and

Ordered to a second reading.

Mr. Peck, on leave given, introduced a bill, entitled a bill for "An act to amend 'An act concerning justices of the peace and constables,' approved February 3, 1827;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Turney,

The bill for "An act relating to the appointment of Attorney General and State's Attorneys," some days since laid on the table, was taken up.

Mr. Turney moved to lay the same on the table until the 4th day of July next;

Which was decided in the affirmative—Yeas 26, nays 14.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson,

Fithian, Fletcher, Greer, Hacker, Hackelton, Harrison, Johnston, Little, Mills, Mitchell, Moore, Murray, Nunnally, O'Rear, Parrish, Stadden, Turney, Warren, Weatherford, and Wood—26.

Those who voted in the negative, are,

Messrs. Butler, Gaston, Gatewood, Gibbs, Hamlin, Herndon, Hunter, Monroe, Peck, Richardson, Ross, Servant, Thomas, and Witt—14.

A message from the House of Representatives, by Mr. Johnson, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles:

"An act to incorporate the Illinois Mutual Fire Insurance Company;"

"An act in relation to the records of Johnson county;"

"An act to authorize Thomas Reynolds and Elisha Seymour to build a toll-bridge across the Kaskaskia river, at Farmington in the county of St. Clair;"

"An act to amend an act, entitled 'An act concerning judgments and executions,' approved Jan. 17, 1825;"

"An act to authorize Reuben and Sullivan L. Haines to raise a mill-dam across the Mackinaw river;"

"An act to amend an act, entitled 'An act to incorporate the Canton College of Illinois;"

"An act to increase the number of justice's districts in the county of Greene;"

"An act to change the name of the town of Vienna;" and

"An act to change the name of the town of Fairfield, in Adams county."

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of bills of the following titles:

"An act to amend an act, entitled 'An act prescribing the mode of proceeding in chancery;" and

"An act to vacate the survey and plat of Garrett's addition to the town of Peoria, and also to vacate the plat of the town of Hudson."

They have amended the last named bill, by adding thereto one additional section; and also amended the title thereof, by adding thereto the words "and for other purposes."

In which amendments they ask the concurrence of the Senate.

Mr. Flood has been appointed on the committee on Enrolled Bills, in place of Mr. Henderson, excused. And he withdrew.

Mr. Servant, on leave given, introduced a bill, entitled a bill for "An act to amend an act, entitled 'An act forming an additional justice's district in the county of Randolph;" which was read the first time, and

Ordered to a second reading.

The resolution offered by Mr. Blackwell, in relation to an appropriation for the improvement of the great western mail route from Vincennes to St. Louis, was read and adopted.

The resolution offered by Mr. Servant, relative to the geological survey of the State of Illinois, was read, and,

On motion of Mr. Servant,
Laid on the table.

The resolution offered by Mr. Witt, in relation to the improvement of Macoupin and Apple creeks, in Greene county, was read and adopted.

The resolution offered by Mr. Wood, relative to the leasing of all ferries, bridges, &c., on any of the unappropriated sixteenth sections, was read and adopted.

The resolution offered by Mr. Ross, relative to the expediency of improving the navigation of McKee's creek, was read and adopted.

A bill from the House of Representatives, entitled a bill for "An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions and avoiding vexatious law suits,'" was read the first time, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

A bill from the House of Representatives, entitled a bill for "An act for the relief of the securities of Thomas Moore," was read the first time, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

On motion of Mr. Witt,

Referred to the committee on the Judiciary.

The amendments of the House of Representatives to the bill from the Senate, entitled a bill for "An act authorizing Edmund White to establish a ferry across the Mississippi river," were read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bills from the House of Representatives of the following titles, viz:

A bill for "An act to incorporate the Menard Academy of Kaskaskia;"

A bill for "An act to incorporate the town of Warsaw;"

A bill for "An act in relation to garnishees;"

A bill for "An act to vacate certain alleys in the town of Tremont;"

A bill for "An act to grant a compensation to the Brigade Inspector of the first brigade and third division of Illinois militia;"

A bill for "An act for the relief of the inhabitants of township number two south, range eight east, in Wayne county;"

A bill for "An act to authorize Benjamin McKay and others to lay off additional lots in the town of Stephenson, Rock Island county;"

Were severally read the first time, and

Ordered to a second reading.

A bill from the House of Representatives, entitled a bill for "An act to incorporate the town of Danville," was read the first time, and

Ordered to a second reading.

On motion of Mr. Fithian.

The rule of the Senate was dispensed with, and the bill read the second time by its title, and

Ordered to a third reading.

Mr. Davidson moved that the Senate adjourn ;

Which was decided in the negative—Yeas 14, nays 23.

Those who voted in the affirmative, are,

Messrs. Blackwell, Davidson, Gatewood, Hacker, Hamlin, Mitchell, O'Rear, Peck, Richardson, Servant, Thomas, Turney, Warren, and Witt—14.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fithian, Gaston, Gibbs, Greer, Herndon, Hunter, Johnston, Little, Mills, Moore, Monroe, Murray, Nunnally, Parrish, Ross, Stadden, Weatherford, and Wood—23.

On motion of Mr. Gatewood,

The further consideration of the orders of the day was dispensed with.

Whereupon, Mr. Gatewood, from the committee on School Lands and Education, to which was referred the petition of the President and trustees of Union College, praying an appropriation for said college, reported a bill for "An act to amend 'An act to incorporate the Union College of Illinois;'" which was read the first time, and

Ordered to a second reading.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 10, 1839.

Senate met pursuant to adjournment.

Mr. Warren presented the petition of sundry citizens of Shelby county, praying for the location of a State road from Shelbyville, in Shelby county, to Danville, in Vermilion county.

On motion of Mr. Warren,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Warren, Fithian, and Greer, be that committee.

Mr. Gatewood moved the adoption of the following resolutions, which lie on the table one day, viz:

Resolved, That from and after the 19th January inst., the Senate will receive no new business.

Resolved, That it is expedient that this General Assembly adjourn *sine die*, on the first Monday in February next.

A message from the Governor, by Mr. English:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act to change the name of the town of Geneva, in the county of Warren;"

"An act to amend an act to incorporate the Mississippi and Rock River Canal Company;"

"An act to authorize the Governor to commission the sheriff of Peoria county;"

"An act making an appropriation for the Penitentiary;"

"An act legalizing the assessment of the property taken in the county of Peoria for 1838;"

"An act to incorporate the Mechanic Association and Galena Beneficial Society;"

"An act to provide for settling the accounts between the State and the Illinois and Michigan canal;"

"An act in relation to the town of Bloomington;"

"An act to amend an act, entitled 'An act to prevent trespasses by cutting timber,' approved Feb. 27, 1819;"

"An act for the amending the act, entitled 'An act to provide for the election of justices of the peace and constables,' approved December 30, 1826;" and

A preamble and resolution relating to surveying and sub-dividing township 5 north, range 14 west.

Mr. Hackelton, afterwards from the same committee, reported that they had, on this day, laid the above mentioned bills before the Council of Revision, and delivered the resolution to the Governor.

Mr. Speaker announced that the communication just received from the Governor was upon executive business.

Whereupon, the doors were closed,

And after some time spent the doors were opened.

And the Senate having ordered, whilst in secret session, that the proceedings on the communication of the Executive be had with open doors, the same communication was read, as follows:

EXECUTIVE DEPARTMENT,

Vandalia Illinois, Jan. 9, 1839.

To the SENATE of *Illinois*: I nominate John A. McClernand, to be Secretary of State.

THOMAS CARLIN.

Mr. Hacker moved the adoption of the following resolutions, which, by a rule of the Senate, lie on the table one day, viz:

Resolved, That the Governor of the State of Illinois under the constitution and laws of this State has the right to nominate, and the Senate to confirm the nomination: Therefore,

Resolved, That the Senate do now advise and consent to the nomination of John A. McClernand, Secretary of State of Illinois.

Mr. Witt moved to dispense with the rule of the Senate, and that the resolution be now considered; which was decided in the affirmative.

Mr. Davidson moved to strike out all of said resolutions after the first Resolved, and insert the following, viz:

"That the Executive does not possess the power to nominate to the Senate a Secretary of State, except in case of a vacancy in that office; and that, inasmuch as the Senate has not been advised of any vacancy

in that office, the nomination of John A. McClelland, as Secretary of State, be not advised and consented to by the Senate; which amendment was agreed to.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on Mr. Davidson's amendment to Mr. Hacker's resolutions,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Warren—22.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Gatewood, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—18.

The question then recurring on the adoption of the resolution as amended,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Warren—22.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Gatewood, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—18.

On motion,

The Senate adjourned.

FRIDAY, JANUARY 11, 1839.

Senate met pursuant to adjournment.

Mr. Harrison presented the petition of sundry citizens of Warren, Mercer, and Rock Island counties, praying for a State road from Monmouth to Illinois city.

On motion of Mr. Harrison,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Churchill presented the petition of Joshua Atwater and others, praying to be incorporated as the Edwardsville Steam-mill Company; which was read, and,

On motion of Mr. Churchill,

Referred to a select committee.

Ordered, That Messrs. Churchill, Johnston, and Turney, be that committee.

Mr. Nunnally moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the practice of the General Assembly of the State of Illinois, in appointing members of its own body to office, is well calculated to defeat the interests, intentions and wishes of that portion of the inhabitants of the State that may have sent the member, receiving the appointment, to legislate for them, and is one, on many accounts, objectionable; and, therefore, is one that will not be countenanced or tolerated by this body.

The resolution offered by Mr. Gibbs, relative to the expediency of locating the Central railroad through the town of Vienna, in Johnson county, was read, and adopted.

The resolutions offered by Mr. Gatewood, having for their object the adjournment of the General Assembly, on the first Monday of February next, was read, and,

Mr. Servant moved to lay said resolutions on the table.

Mr. Thomas moved to amend said motion, so as to make it a motion to lay on the table till the first Monday in February next.

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Churchill, Fletcher, Greer, Hamlin, Hunter, Little, Mitchell, Moore, Parrish, Richardson, Servant, Thomas, Turney, and Warren—16.

Those who voted in the negative, are,

Messrs. Butler, Davidson, Fithian, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Harrison, Herndon, Johnston, Mills, Monroe, Murray, Nunnally, O'Rear, Peck, Ross, Stadden, Weatherford, Witt, and Wood—22.

The question then recurring to lay on the table,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Churchill, Greer, Hamlin, Hunter, Little, Mitchell, Moore, Parrish, Richardson, Servant, Thomas, Turney, and Warren—16.

Those who voted in the negative, are,

Messrs. Butler, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Harrison, Herndon, Johnston, Mills, Monroe, Murray, Nunnally, O'Rear, Peck, Ross, Stadden, Weatherford, Witt, and Wood—23.

Mr. Davidson moved to amend the first resolution by striking out "19th" and inserting "25th."

Decided in the affirmative.

Mr. Davidson then moved to amend the second resolution, by striking out the word "first," and inserting "second;" which was decided in the affirmative,

Mr. Hacker moved to amend the first resolution, by inserting the words "by the General Assembly," after the word "Resolved," in said resolution.

Decided in the affirmative.

Mr. Gatewood moved to strike out the words "the Senate," from the first resolution, and insert the words "neither House."

Decided in the affirmative.

The question recurring on the adoption of the resolutions as amended,

Mr. Johnston called for a division of the question, so as to take the vote on each resolution separately.

Whereupon, a division was ordered, and the question taken on the first resolution.

Decided in the affirmative.

Those voting in the affirmative, are,

Messrs. Blackwell, Borough, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Hunter, Mills, Moore, Monroe, Murray, O'Rear, Peck, Ross, Stadden, Thomas, Weatherford, Witt, and Wood—29.

Those who voted in the negative, are,

Messrs. Browning, Johnston, Little, Mitchell, Nunnally, Parrish, Richardson, Servant, Turney, and Warren—10.

The question then recurring on the adoption of the second resolution as amended,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Hunter, Johnston, Mills, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Ross, Stadden Weatherford. Witt, and Wood—31.

Those who voted in the negative, are,

Messrs. Browning, Little, Mitchell, Richardson, Servant, Thomas, Turney, and Warren—8.

Ordered, That the Secretary inform the House of Representatives of the adoption of said resolutions, and ask their concurrence therein.

The bill from the House of Representatives, entitled a bill for "An act to incorporate the Invincible Dragoons of the second division of Illinois militia," was read the first time, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Mills,

Referred to the committee on Military Affairs.

The bill from the House of Representatives, entitled a bill for "An act to amend an act, entitled 'An act concerning judgments and executions,' approved January 17, 1825," was read the first time, and

Ordered to a second reading.

On motion of Mr. Turney,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Turney,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled a bill for "An act to authorize Thomas Reynolds and Elisha Seymour to build a toll-bridge

across the Kaskaskia river at Farmington, in the county of St. Clair," was read the first time, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Mr. Murray moved that the rule of the Senate be further dispensed with, and that the bill be now read a third time by its title; which was not agreed to.

Ordered to a third reading.

The bill from the House of Representatives, entitled a bill for "An act to amend an act, entitled 'An act to incorporate the Canton College of Illinois,'" was read the first time, and

Ordered to a second reading.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Hackelton,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled a bill for "An act to increase the number of justice's districts in the county of Greene," was read the first time, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled a bill for "An act to change the name of the town of Vienna," was read the first time, and

Ordered to a second reading.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Ordered to a third reading.

The following bills from the House of Representatives, entitled

A bill for "An act to incorporate the Warsaw University of Illinois;"

A bill for "An act for the relief of settlers upon the public lands;"

A bill for "An act to sell the property of Eliakim Russell;"

A bill for "An act to change an appropriation made to the county of Lawrence;"

A bill for "An act supplemental to the act, entitled 'An act to define the extent of possession in cases of settlement on the public lands,' approved Feb. 27, 1837;"

A bill for "An act to relocate the seat of justice of Livingston county;"

"An act to legalize the sale of section sixteen in township nine north, range two east, in Knox county;"

A bill for "An act in relation to the records of Johnson county;"

A bill for "An act to incorporate the Illinois Mutual Fire Insurance Company;"

A bill for "An act to change the name of the town of Fairfield, in Adams county;" and

A bill for "An act to authorize Reuben and Sullivan L. Haines to raise a mill-dam across the Mackinaw river;"

Were severally read the first time, and

Ordered to a second reading.

The amendments of the House of Representatives to a bill from the Senate, entitled a bill for "An act to vacate the survey and plat of Garrett's addition to the town of Peoria, and also to vacate the plat of the town of Hudson," were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Davidson,

The orders of the day were dispensed with, and the bill from the House of Representatives, entitled a bill for "An act for the relief of the late Warden of the Penitentiary," was taken up and read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on the Penitentiary.

Mr. Borough moved to take up a bill, entitled a bill for "An act authorizing the county commissioners' courts to establish and change State roads."

On motion,

The Senate adjourned until two o'clock P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the motion of Mr. Borough, to take up a bill, entitled a bill for "An act authorizing the county commissioners' courts to establish and change State roads," which was pending at the time of adjournment,

It was decided in the affirmative.

Whereupon, the bill was read the third time, and

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Browning, Churchill, Fithian, Gaston, Gibbs, Hacker, Hackelton, Harrison, Herndon, Hunter, Mitchell, Moore, Murray, Ross, Servant, Turney, Witt, and Wood—18.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Fletcher, Greer, Hamlin, Johnston, Little, Mills, Monroe, Nunnally, O'Rear, Parrish, Stadden, Thomas, Warren, and Weatherford—17.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion of Mr. Ross,

The engrossed bill, entitled a bill for "An act for the relief of Robert Davis and others," was taken up, and read the third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

On motion of Mr. Mills,

The bill some days since laid on the table, entitled a bill for "An act for the distribution of the school fund amongst the several counties of the State and to provide for the application of the interest to common school purposes," was taken up.

Mr. Hacker moved to postpone the bill indefinitely.

Mr. Gatewood moved to amend the motion, so as to make it a motion to refer the same to the committee of the Whole, and make it the order of the day for some day after Monday next; which was agreed to.

On motion of Mr. Thomas,

The bill some days since laid on the table, entitled a bill for "An act to establish and maintain a uniform system of common schools," was taken up, and referred to the committee of the Whole, and made the order of the day for some day after Monday next.

A bill for "An act to provide for the distribution and application of certain funds heretofore appropriated to certain counties for purposes of Internal Improvements," was read the second time, and,

On motion of Mr. Witt,

Referred to the committee on Internal Improvements.

A bill for "An act to establish The Illinois Asylum for the education of the deaf and dumb," was read the second time, and,

On motion of Mr. Browning,

Referred to the committee on School Lands and Education.

A bill for "An act to incorporate the Chester Insurance Company," was,

On motion of Mr. Thomas,

Read a second time by its title, and referred to the committee on the Judiciary.

"A bill regulating tavern and grocery license," was read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

The bills of the following titles, viz:

A bill for "An act concerning the town of Lynnville;"

A bill for "An act to legalize the survey of the town of Carthage;"

A bill for "An act to incorporate the Central Seminary of Illinois;"

A bill for "An act to amend an act, entitled 'An act to amend the several acts in relation to common schools;'"

A bill for "An act to authorize Philip Jarbor and Harvey M. Jarbor, to establish a ferry across the Illinois river;"

A bill for "An act authorizing the building of certain bridges, and changing certain appropriations;"

A bill for "An act providing for the improvement of certain roads in Edgar county;"

A bill for "An act to provide for publishing the decisions of the Supreme Court;"

A bill for "An act for the relief of the judge of the sixth judicial circuit of the State of Illinois;"

A bill for "An act to vacate the survey and plat of the town of Middletown;"

A bill for "An act to amend an act, entitled 'An act forming an additional justice's district in the county of Randolph;' " and

A bill for "An act to amend 'An act concerning justices of the peace and constables,' approved February 3, 1827;"

Were severally read a second time, and

Ordered to be engrossed, and read a third time.

A bill for "An act to amend the act, entitled 'An act to provide for changing the venue in civil and criminal cases,' approved January 23, 1827," was read a second time, and

On motion of Mr. Turney,

Referred to the committee on the Judiciary.

A bill for "An act to amend an act to incorporate the Union College of Illinois," was read a second time, when,

On motion of Mr. Gatewood,

Said bill was amended by inserting after the word "only," "be construed," and

Ordered, That the bill be engrossed and read a third time.

A bill from the House of Representatives, entitled a bill for "An act to amend an act, entitled 'An act to incorporate the Carmi Bridge Company,' approved Feb. 6, 1835," was read the second time, and

Ordered to a third reading; and,

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill read a third time by its title.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, that the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Hamlin,

A bill from the House of Representatives, entitled a bill for "An act to establish the county of Marshall," was now taken up, and referred to a select committee.

Ordered, That Messrs. Hamlin, Allen, and Stadden, be that committee.

On motion,

The Senate adjourned.

SATURDAY, JANUARY 12, 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Johnson, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform

the Senate that they have concurred with the Senate in the passage of a bill, entitled "An act making an appropriation for the completion and furnishing of the State house at Springfield," And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act to authorize Edward White to establish a ferry across the Mississippi river;" and

"An act making an appropriation for the completion and furnishing of the State house at Springfield."

Mr. Harrison presented the petition of the county commissioners of Jo Daviess county, praying for the appropriation of the fifteen per cent. forfeited by contractors Power and Dougherty, to said county; which was read, and,

On motion of Mr. Harrison,

Referred to a select committee.

Ordered, That Messrs. Harrison, Gatewood, and Peck, be that committee.

Mr. Harrison presented the petition of sundry citizens of Galena, upon the same subject; and,

On motion of Mr. Harrison,

The reading of the same was dispensed with, and referred to the same select committee.

Mr. Churchill, from the committee on the Penitentiary, to which was referred a bill from the House of Representatives, entitled a bill for "An act for the relief of the late Warden of the Penitentiary," reported the same back to the Senate without amendment, and recommended the passage of said bill.

On the question—"Shall the bill be read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Davidson, Fletcher, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Herndon, Hunter, Johnston, Mitchell, Nunnally, O'Rear, Richardson, Servant, Stadden, Turney, Warren, Weatherford, and Witt—23.

Those who voted in the negative, are,

Messrs. Browning, Butler, Churchill, Fithian, Gaston, Greer, Little, Mills, Moore, Monroe, Murray, Parrish, Peck, Ross, Thomas, and Wood—16.

On motion of Mr. Churchill,

The bill was read a third time by its title; and,

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Davidson, Fletcher, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Herndon, Hunter, Johnston, Mitchell, Nunnally, O'Rear, Richardson, Servant, Stadden, Turney, Warren, Weatherford, and Witt—23.

Those who voted in the negative, are,

Messrs. Browning, Churchill, Fithian, Gaston, Greer, Little, Mills, Moore, Monroe, Murray, Parrish, Peck, Ross, Thomas, and Wood—15.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Davidson, on leave given, introduced a bill, entitled "An act defining the duties of the public binder or binders;" which was read the first time, and

Ordered to a second reading.

Mr. Hacker, from the committee on Finance, who were directed to examine the books and accounts of the Auditor and Treasurer of the State, reported that the committee had attended to that duty, and find the books and vouchers to correspond with the reports heretofore made by those officers.

On motion of Mr. Thomas,

Laid on the table.

Mr. Warren, from the select committee to which was referred the petition of sundry citizens of Shelby county, praying for a State road from Shelbyville to Danville, reported a bill, entitled a bill for "An act to locate a State road from Shelbyville to Danville;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hacker, Hackelton, Hamlin, Herndon, Hunter, Johnston, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood—36.

Mr. Little voted in the negative—1.

Mr. Hamlin, from the select committee to which was referred a bill from the House of Representatives, entitled a bill for "An act to establish the county of Marshall," reported the same back to the Senate with the following amendments, viz:

Amend the bill, in the second section, by filling the blank with the words "April next." Also amend the third section in the third line, by striking out the word "first," and inserting the word "last." Also fill the blank in the same line with the word "February."

Further amend the bill by adding the following as the 10th and 11th sections:

"SEC. 10. The justices of the peace, or any one of them, residing within the county of Marshall, are hereby authorized and required to give at least fifteen days' notice of the time and place of holding the election required to be held under the provisions of this act, by posting up written or printed notices of said election at the place of holding elections in the different election precincts of said county.

SEC. 11. The county of Marshall shall be entitled to one-third part of the money which has been or may be paid to the county of Putnam under the provisions of the act, entitled "An act to establish and maintain

a general system of Internal Improvement, approved February 27, 1837," appropriating two hundred thousand dollars to those counties through which no railroad or canal was authorized to be constructed by said act; and, if the money has not been paid to the county of Putnam, the Fund Commissioners shall pay the said one-third to the county of Marshall; but, if payment has been made to said county of Putnam, the county commissioners of Putnam county shall make the aforesaid payment.

And on the question—"Will the Senate concur with the committee in their amendments?"

It was decided in the affirmative.

On motion of Mr. Hamlin,

The bill as amended was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the amendments thereto, and ask their concurrence therein.

On motion of Mr. Weatherford,

The engrossed bill some days since laid on the table, entitled a bill for "An act to change part of a certain State road in Morgan county," was taken up and read.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Hunter, Johnston, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Richardson, Stadden, Thomas, Turney, and Weatherford—30.

Those who voted in the negative, are,

Messrs. Little, Servant, Witt, and Wood—4.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion,

The Senate adjourned.

MONDAY, JANUARY 14, 1839.

Senate met pursuant to adjournment.

Mr. Hackelton, from the committee on Enrolled Bills, reported that on Saturday they laid before the Council of Revision bills of the following titles, viz:

"An act to authorize Edward White to establish a ferry across the Mississippi river;" and

"An act making an appropriation for the completion and furnishing of the State house at Springfield."

Mr. Stadden presented the petition of sundry citizens living on the ninth and west half of the tenth range east of the third principal meridian, in the county of Cook, praying that the same may be annexed to the county of Kane.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Harrison, from the committee on the Judiciary, to which was referred the petition of G. W. Jones, for license to keep a ferry across the Mississippi river, reported a bill, entitled a bill for "An act to authorize George W. Jones to establish a ferry from Jordan's ferry to Du Buque;" which was read the first time, and

Ordered to a second reading.

Mr. Butler moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Finance be instructed to inquire into the expediency of increasing the pay of grand and petit jurors; and report by bill or otherwise.

Mr. Richardson moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of increasing the compensation now allowed to the Governor and judicial officers of this State; and that they report by bill or otherwise.

Mr. Greer, on leave given, introduced a bill, entitled a bill for "An act making an appropriation to enclose the graves of deceased members of the Legislature in the town of Vandalia;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

On motion of Mr. Richardson,

Referred to a select committee.

Ordered, That Messrs. Greer, Richardson, and Stadden, be that committee.

Mr. Fithian moved the adoption of the following resolution, viz:

Resolved, That the Auditor of Public Accounts be required to issue his warrant in favor of R. M. Gordon, for the sum of seventy-eight dollars, in payment for eighteen days' services as Sergeant-at-arms, and eight days' services as Assistant Sergeant-at-arms of the Senate.

Whereupon,

On motion of Mr. Greer,

The rule of the Senate was dispensed with, and the resolution taken up for consideration.

Mr. Ross moved to amend the same by adding: "which sums shall be deducted from the pay of the Sergeant-at-arms of the Senate;" and,

On motion of Mr. Fithian,

The resolution and the proposed amendment were laid on the table.

On motion of Mr. Thomas,

A bill some days since laid on the table, entitled a bill for "An act entitled 'An act to protect canal lands against trespasses,' approved March 4, 1837," was taken up, and read a third time; and,

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Moore, O'Rear, Parrish, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood—29.

Those who voted in the negative, are,

Messrs. Gatewood, Hacker, Hackelton, Hunter, Johnston, Monroe, Nunnally, Peck, and Richardson—9.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Davidson, from the committee on the Judiciary, to which was referred a resolution directing them to inquire into the expediency of making an appropriation for the purchase of a library for the State, reported a bill, entitled "An act making appropriations for a library for the use of the Legislature and the Supreme Court;" which was read the first time, and

Ordered to a second reading.

Mr. Gatewood presented the petition of sundry citizens of the counties of Gallatin, White, Wayne, Edwards, Clay, Effingham and Shelby, on the subject of the improvement of the Little Wabash river; and,

On motion of Mr. Gatewood,

The reading of the same was dispensed with, and referred to the committee on Internal Improvements.

Mr. Davidson, from the select committee to which was referred the petition of sundry citizens of New Haven and its vicinity, in relation to the passage of a law to incorporate said town, reported a bill, entitled a bill for "An act to incorporate New Haven, in Gallatin and White counties;" which was read the first time, and

Ordered to a second reading.

Whereupon,

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Ordered to be engrossed and read a third time.

On motion of Mr. Richardson,

The resolution offered by Mr. Fithian, relative to the compensation to R. M. Gordon, as Assistant Sergeant-at-arms, was taken up; and

Mr. Herndon moved the following as a substitute for the original resolution and the proposed amendment, viz:

Resolved, That the Auditor of Public Accounts be required to issue his warrants in favor of R. M. Gordon, for the sum of ——— dollars, in payment for fourteen days' services as Sergeant-at-arms, and eight days' services as Assistant Sergeant-at-arms of the Senate; ——— dollars of which first named sum shall be deducted from the pay of the present Sergeant-at-arms; which was agreed to.

Mr. Herndon moved to fill the first blank in said resolution with the words "fifty-six," and the second blank with the words "thirty-two;" which was decided in the affirmative.

Mr. Hacker moved to lay the resolution as amended on the table.

And on the question—"Shall the resolution as amended be laid on the table?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Butler, Churchill, Fithian, Fletcher, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Johnston, Little, Mitchell, Murray, Parrish, Peck, Ross, Stadden, Turney, Warren, Weatherford, and Wood—23.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Davidson, Gaston, Gatewood, Greer, Herndon, Hunter, Mills, Moore, Monroe, Nunnally, C'Rear, Richardson, Servant, Thomas, and Witt—17.

A message from the House of Representatives, by Mr. Johnson, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed the following preamble and resolution, viz:

Whereas Oliver Newberry, Esq., of the city of Detroit, in the State of Michigan, has built upon the waters of the northern lakes a large and splendid steamboat, of seven hundred and fifty tons burden, to ply between Buffalo and Chicago, on the said lakes, and, in compliment to our State, has named her the "Illinois;" and whereas it is customary on such occasions to present the vessel so named with a suitable suit of colors: Therefore,

Resolved, That a suitable suit of colors be presented to the said steamboat "Illinois," at the city of Chicago, in said State, and that Richard I. Hamilton, Walter Kimball, Justice Butterfield, William Jones, B. F. Knapp, Eli R. Williams, Truman G. Wright, E. D. Taylor, and John H. Kinzie, are hereby appointed a committee to carry into effect the object of this resolution.

In the passage of which they ask the concurrence of the Senate. And he withdrew.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Hall of the House, and proceed to the election of public printer, Auditor, Treasurer, and Attorney General, for the State of Illinois. And he withdrew.

Whereupon, the honorable the Senate, preceded by Mr. Speaker, repaired to the Representative Hall; and then both branches of the General Assembly proceeded, *viva voce*, to elect a public printer; when the vote stood thus:

For William Walters,

Messrs. Borough Butler, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood, of the Senate:

Messrs. Alexander, Allen of Franklin, Allen of Greene, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Cloud, Compher, Copeland, Crain, Daley, Edmonston, English, Fisk, Flood, Foster, French, Gouge, Green of Clay, Green of Greene, Hankins, Happy, Harris, Holmes, Huey, Kercheval, Logan, McWilliams, Maus, Moore, Morgan, Murphy of Cook, Murphy of Perry, Naper, Pace, Robinson, Roman, Robert Smith of Madison, Thomas of St. Clair, Walker of Vermilion, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—65.

For William Hodge,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas, of the Senate.

Messrs. Aldrich, Archer, Baker, Craig, Cunningham, Dawson, Dubois, Dunn, Edwards, Elkin, Elliott, Emmerson, Ficklin, Gilham, Hardin, Henderson, Henry, Houston, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Lyons, McCormick, McCutchen, McMillan, Menard, Murphy of Vermilion, Otwell, Philips, Rawalt, Read, Roberts, George Smith of Madison, Stapp, Thomas of McLean, Thornton, Walker of Fulton, Webb of Alexander, Webb of White, and Williams, of the House of Representatives—63.

For R. Beck,

Mr. Smith of Wabash, of the House of Representatives.

Mr. Walters, having received a majority of all the votes given, was, by the Speaker of the House of Representatives, declared duly elected public printer of the State of Illinois.

The two Houses then proceeded to the election of Auditor of Public Accounts; and upon the vote being taken, Levi Davis received one hundred and twenty-nine votes.

Those who voted for Mr. Davis, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Servant, Stadden, Thomas Turney, Warren, Weatherford, Witt, and Wood, of the Senate:

Messrs. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Archer, Baker, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Cloud, Compher, Copeland, Craig, Crain, Cunningham, Daley, Dawson, Dubois, Dunn, Edmonston, Edwards, Elkin, Elliott, Emmerson, English, Ficklin, Fisk, Flood, Foster, French, Gilham, Gouge, Green of Clay, Green of Greene, Hankins, Happy, Hardin, Harris, Henderson, Henry, Holmes, Houston, Huey, Hull, Jarrott, Johnson, Jones, Kent, Kercheval, Kerr, Lincoln, Logan, Lyons, McCormick, McCutchen, McMillan, McWilliams, Maus, Menard, Moore, Morgan, Murphy of Cook, Murphy of Perry, Murphy of Vermilion, Naper, Otwell, Pace, Philips, Rawalt, Read, Roberts, Robinson, Roman, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas of McLean, Thomas of St. Clair, Thornton, Walker of Fulton, Walker of Vermilion, Webb of Alexander, Webb of White, Williams, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—129.

Mr. Davis, having received all the votes given, was, by the Speaker of the House of Representatives, declared duly elected Auditor of Public Accounts of the State of Illinois.

The two Houses then proceeded to the election of Treasurer; and upon the vote being taken, John D. Whiteside received one hundred and twenty-one votes. Scattering, seven votes.

Those who voted for Mr. Whiteside, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Servant, Stadden, Thomas, Turney, and Warren, of the Senate:

Messrs. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Archer, Baker, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Cloud, Compher, Copeland, Craig, Crain, Cunningham, Daley, Dawson, Dubois, Edmonston, Edwards, Elkin, Elliott, Emmerson, English, Ficklin, Fisk, Flood, Foster, French, Gilham, Gouge, Green of Clay, Green of Greene, Hankins, Hardin, Harris, Henderson, Henry, Holmes, Houston, Huey, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Logan, Lyons, McCormick, McCutchen, McMillan, McWilliams, Maus, Menard, Morgan, Murphy of Cook, Murphy of Perry, Murphy of Vermilion, Naper, Otwell, Pace, Philips, Rawalt, Roberts, Robinson, Roman, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas of McLean, Thomas of St. Clair, Thornton, Walker of Fulton, Walker of Vermilion, Webb of Alexander, Webb of White, Williams, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—121.

Messrs. Witt and Wood, of the Senate, and Mr. Moore, of the House of Representatives, voted for Mr. Weatherford—3.

Mr. Weatherford, of the Senate, voted for Mr. Blackwell—1.

Mr. Dunn, of the House of Representatives, voted for Mr. Witt—1.

Mr. Happy, of the House of Representatives, voted for Mr. Dunn—1.

Mr. Read, of the House of Representatives, voted for Mr. Happy—1.

John D. Whiteside, having received a majority of all the votes given, was, by the Speaker of the House of Representatives, declared duly elected Treasurer of the State of Illinois.

The two Houses then proceeded to the election of Attorney General; and upon the vote being taken, Wickliffe Kitchell received sixty-five votes; George W. Olney received sixty votes; scattering, two votes.

Those who voted for Mr. Kitchell, are,

Messrs. Blackwell, Borough, Davidson, Fithian, Gaston, Gibbs, Greer, Hackelton, Hunter, Johnston, Mills, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Warren, Weatherford, Witt, and Wood, of the Senate:

Messrs. Alexander, Allen of Franklin, Allen of Greene, Archer, Bainbridge, Brown, Carpenter, Churchill, Cloud, Compher, Copeland, Crain, Cunningham, Dubois, Edmonston, Elliott, Emmerson, English, Ficklin, Fisk, Flood, Foster, French, Gouge, Green of Clay, Green of Greene, Hankins, Happy, Harris, Houston, Huey, McMillan, McWilliams, Moore,

Murphy of Perry, Naper, Pace, Philips, Roberts, Robinson, Smith of Wabash, Walker of Vermilion, Webb of White, and Mr. Speaker, of the House of Representatives—65.

Those who voted for Mr. Olney, are,

Messrs. Allen, Browning, Butler, Churchill, Fletcher, Gatewood, Hacker, Hamlin, Harrison, Little, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Turney, of the Senate:

Messrs. Aldrich, Baker, Calhoun, Craig, Daley, Dawson, Dunn, Edwards, Elkin, Gilham, Hardin, Henderson, Henry, Holmes, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Logan, Lyons, McCormick, McCutchen, Menard, Morgan, Otwell, Rawalt, Read, Roman, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas of McLean, Thomas of St. Clair, Thornton, Walker of Fulton, Webb of Alexander, Williams, Wood, and Zimmerman, of the House of Representatives—60.

Mr. Maus, of the House of Representatives, voted for Mr. Baker—1.

Mr. Murphy of Cook, of the House of Representatives, voted for Mr. Thomas—1.

Mr. Kitchell, having received a majority of all the votes given, was, by the Speaker of the House of Representatives, declared duly elected Attorney General of the State of Illinois.

Whereupon, the honorable the Senate then returned to their chamber.

And on motion,

The Senate adjourned.

TUESDAY, JANUARY 15, 1839.

Senate met pursuant to adjournment.

Mr. Fithian presented the petition of sundry citizens of the town of Danville, praying the passage of an act of incorporation.

On motion of Mr. Fithian,

The reading of the same was dispensed with, and laid on the table.

Mr. Ross presented the petition of sundry citizen of Pike county, praying an appropriation to improve the navigation of McKee's creek, in said county.

On motion of Mr. Ross,

The reading of the same was dispensed with, and referred to the committee on Internal Navigation.

Mr. Churchill presented the petition of sundry citizens of Madison county, praying a repeal of all laws authorizing the retailing of intoxicating drinks, &c.

On motion of Mr. Churchill,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Butler presented the petition of sundry citizens of Warren county, praying that the name of the town of Savannah be changed to Cold Brook.

On motion of Mr. Butler,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Witt presented the petition of sundry citizens of Greene county, praying for the repeal of all laws authorizing the retailing of intoxicating liquors, &c.

On motion of Mr. Witt,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Peck presented the petition of W. M. Larrabee, praying the passage of a law to authorize the Canal Commissioners to pay over certain per centage to the estate of the late James Spence; which was read, and,

On motion of Mr. Peck.

Referred to the same select committee to which was referred the petition of sundry citizens of Galena upon the same subject.

A message from the Council of Revision, by Mr. McLean, their Clerk:

Mr. Speaker: The Council of Revision have approved bills of the following titles, viz:

"An act legalizing the assessment of the property taken in the county of Peoria for 1838;"

"An act to amend 'An act to incorporate the Mississippi and Rock River Canal Company;'"

"An act to amend an act, entitled 'An act to prevent trespassing by cutting timber,' approved February 27, 1819;"

A bill for "An act to change the name of the town of Geneva, in the county of Warren;"

"An act to incorporate the Mechanic Association and Galena Beneficial Society;"

"An act for the amending the act, entitled 'An act to provide for the election of justices of the peace and constables,' approved December 30, 1826;"

"An act to provide for settling the accounts between the State and the Illinois and Michigan canal;"

"An act making an appropriation for the completion and furnishing of the State house at Springfield;" and

"An act to authorize Edward White to establish a ferry across the Mississippi river."

The Council of Revision have had the act, entitled "An act in relation to the town of Bloomington," under consideration, and return the same to the Senate, as improper to become a law of this State; because they are of opinion that, by recording the plat of said town, the streets and alleys laid down on said plat became dedicated to public use.

This dedication, no doubt, vests in all the lot owners in said town a right to the use of the alleys, which cannot be divested by authority of the Legislature.

THOMAS CARLIN,
SAMUEL D. LOCKWOOD,
THO. C. BROWNE,
THEO. W. SMITH,
WM. WILSON.

And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in their amendments to the bill from the House of Representatives, entitled "An act to establish the county of Marshall." And he withdrew.

Mr. Nunnally moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, by the Senate, That the 44th rule of the Senate be amended by striking out the words "ten o'clock," and inserting the words "nine o'clock."

Mr. Moore moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Elections be instructed to inquire into the expediency of so amending the law on elections, as to change the mode of voting from *viva voce* to that of ballot.

Mr. Richardson moved the adoption the following resolution, which lies on the table one day, viz:

Resolved, That the Auditor of Public Accounts be required to issue his warrant in favor of R. M. Gordon, for the sum of eighty-eight dollars, in payment for fourteen days' service as Sergeant-at-arms, and eight days' service as Assistant Sergeant-at-arms of the Senate; fifty-six dollars of which sum shall be deducted from the pay of the Sergeant-at-arms, Levin Lane.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, and the resolution taken up, read, and adopted.

Mr. Turney, from the committee on Military Affairs, to which was referred a bill from the House of Representatives, entitled a bill for "An act to incorporate the Invincible Dragoons of the second division of Illinois militia," reported the same back without amendment, and recommended the passage of said bill.

Mr. Servant moved to lay the same on the table.

Mr. Gatewood moved to lay the bill on the table until the 4th day of July next.

And on the question being taken on Mr. Gatewood's motion,
It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Gatewood, Hacker, Herndon, Hunter, Johnston, Little, Moore, Nunnally, Parrish, Peck, Richardson, Stadden, Weatherford, Witt, and Wood—17.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hackelton, Hamlin, Harrison, Mills, Mitchell, Monroe, Ross, Servant, Thomas, Turney, and Warren—21.

Whereupon, Mr. Servant withdrew his motion.

And on the question—"Shall the bill be read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Browning, Butler, Churchill, Davidson, Fletcher,

Gaston, Gibbs, Greer, Hackelton, Hamlin, Harrison, Mills, Mitchell Monroe, Ross, Servant, Thomas, Turney, and Warren—20.

Those who voted in the negative, are,

Messrs. Allen, Borough, Fithian, Gatewood, Hacker, Herndon, Hunter, Johnston, Little, Moore, Nunnally, Parrish, Peck, Richardson, Stadden, Weatherford, Witt, and Wood—18.

On motion of Mr. Thomas,

Leave of absence was granted to Mr. O'Rear, for the space of ten days.

On motion of Mr. Servant,

Leave of absence was granted to Mr. Murray, for the space of eight days.

Mr. Browning, from the committee on Education, to which was referred a bill for "An act to establish the Illinois Asylum for the education of the deaf and dumb," reported the same back to the Senate without amendment, and recommended the passage of said bill.

Ordered to be engrossed for a third reading.

Mr. Gatewood, from the same committee, to which was referred a resolution to inquire into the expediency of revising and amending the school laws, reported that the committee had had the same under consideration, and directed him to report the same back to the Senate, and ask leave to be discharged from the further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Witt, from the select committee to which was referred the petition of the county commissioners of Calhoun county, praying for relief, reported a bill, entitled "A bill for the relief of Calhoun county;" which was read the first time, and

Ordered to a second reading.

Mr. Gatewood, from the committee on School Lands and Education, to which was referred a resolution from the House of Representatives having for its object the amalgamation of the college and seminary fund, reported that the committee had had the same under consideration, and had directed him to report the same back to the Senate, and recommend a non-concurrence therein; and thereupon,

Mr. Gatewood moved to lay the resolution on the table until the fourth day of July next; and,

The question being taken upon Mr. Gatewood's motion,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Fletcher, Gaston, Gatewood, Gibbs, Hacker, Hamlin, Harrison, Herndon, Little, Mitchell, Moore, Peck, Servant, Stadden, Thomas, Warren, and Weatherford—22.

Those who voted in the negative, are,

Messrs. Churchill, Davidson, Fithian, Greer, Hackelton, Hunter, Johnston, Mills, Monroe, Nunnally, Parrish, Richardson, Ross, Turney, Witt, and Wood—16.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Richardson moved that the Senate adjourn until two o'clock P. M.

Mr. Servant moved that the Senate adjourn.

And the question being first put on Mr. Servant's motion to adjourn, It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Davidson, Gatewood, Hacker, Harrison, Mills, Mitchell, Peck, Servant, and Turney—9.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Butler, Browning, Churchill, Fithian, Fletcher, Gaston, Gibbs, Greer Hackelton, Hamlin, Herndon, Hunter, Johnston, Little, Monroe, Moore, Nunnally, Parrish, Richardson, Ross, Stadden, Thomas, Warren, Weatherford, Witt, and Wood—29.

The question then recurring on the motion to adjourn until two o'clock,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Butler, Browning Churchill, Fletcher, Gaston, Gibbs, Greer, Hackelton, Herndon, Hunter, Moore, Nunnally, Ross, Stadden, Thomas, Weatherford, and Witt—20.

Those who voted in the negative, are,

Messrs. Davidson, Fithian, Gatewood, Hacker, Hamlin, Harrison, Johnston, Little, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Servant, Turney, Warren, and Wood—18.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Stadden, on leave given, introduced a bill, entitled a bill for "An act to build a bridge across Fox river, at Ottawa;" which was read the first time, and

Ordered to a second reading.

Mr. Churchill, from the select committee to which was referred the petition of Joshua Atwater and others, praying for a charter of a Steam-mill Company, &c., reported a bill, entitled a bill for "An act to incorporate the Edwardsville Steam-mill Company;" which was read the first time, and

Ordered to a second reading.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a resolution having for its object the surveying and locating the Central railroad through Vienna, in Johnson county, reported the same back to the Senate, and ask to be discharged from a further consideration of said resolution,

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Hacker, from the same committee, to which was referred a resolution in relation to the expediency of making an appropriation for the improvement of the navigation of Macoupin and Apple creeks, in Greene

county, reported the same back to the Senate, and ask to be discharged from a further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Hacker, from the same committee, to which was referred a resolution to inquire into the expediency of making an appropriation for the great western mail route from Vincennes to St. Louis, &c., reported the same back to the Senate, and ask to be discharged from the further consideration of said resolution.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Borough, from the committee on Roads, to which was referred a bill for "An act to vacate and change a part of the State road from Salem to Chester," reported the same back with an amendment; in the adoption of which they ask the concurrence of the Senate.

And on the question—"Will the Senate concur with the committee in their amendment to said bill?"

It was decided in the affirmative.

Ordered, That the bill as amended be engrossed and read a third time.

Mr. Hamlin, on leave given, introduced a bill, entitled a bill for "An act concerning sheriffs and coroners," approved February 12, 1827;" which was read the first time, and

Ordered to a second reading.

The message from the House of Representatives, containing the preamble and resolution in relation to the presentation of a suit of colors to the steamboat "Illinois," &c., was read, and,

On motion of Mr. Weatherford,

Referred to the committee on Finance.

The resolution offered by Mr. Nunnally, in relation to the election of members of the General Assembly to office, &c., was read: whereupon,

Mr. Borough moved to amend by adding the following, viz:

Provided, however, That this restriction shall not apply to members who may become candidates for the offices of Judge of the Circuit and Supreme Courts of this State, or United States Senator.

On motion of Mr. Davidson,

The resolution and proposed amendment were laid on the table.

The resolution offered by Mr. Butler, in relation to the expediency of increasing the pay of grand and petit jurors, was read, and adopted.

The resolution offered by Mr. Richardson, relative to increasing the compensation of the Governor and judicial officers of the State of Illinois, was read.

Mr. Thomas moved to strike out "inquire into the expediency of," and insert "report a bill;" which was agreed to; and,

On motion of Mr. Hacker,

The words "or otherwise," were stricken out.

Mr. Churchill moved to strike out the words "and that they report by bill;" which was agreed to.

Mr. Johnston moved to lay the resolution, as amended, on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Fletcher, Gaston, Greer, Hackelton, Hunter, Johnston, Monroe, Moore, Nunnally, Parrish, Richardson, Stadden, and Wood—14.

Those who voted in the negative, are,

Messrs. Allen, Borough, Butler, Browning, Churchill, Davidson, Fithian, Gibbs, Hacker, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Peck, Ross, Servant, Thomas, Warren, and Weatherford—21.

The question then recurring on the adoption of the resolution as amended,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Butler, Browning, Churchill, Davidson, Fithian, Gibbs, Hacker, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Peck, Ross, Servant, Thomas, and Warren—19.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Fletcher, Gaston, Greer, Hackelton, Hunter, Johnston, Monroe, Moore, Nunnally, Parrish, Richardson, Stadden, Weatherford, and Wood—16.

A bill for "An act to authorize Geo. W. Jones to establish a ferry from Jordan's ferry to Du Buque," was read the second time, and

Ordered to be engrossed for a third reading.

The bill for "An act defining the duties of the public binder or binders," was read a second time, and,

On motion of Mr. Thomas,

Referred to the committee on Finance.

The bill for "An act making appropriation for a library for the use of the Legislature and the Supreme Court," was read a second time, and

Ordered to be engrossed for a third reading.

A bill from the House of Representatives for "An act to amend an act, entitled 'An act authorizing a lottery to raise funds for the purpose of draining the ponds of the American bottom,'" was read a second time;

Whereupon, Mr. Gatewood moved to refer said bill to the committee on the Judiciary, with instructions to inquire into the power and expediency of this Legislature to repeal the original act of incorporation.

Mr. Davidson moved to amend the motion so as to make it one to refer to the committee on Internal Improvements;

Which was decided in the negative.

The question then recurring upon Mr. Gatewood's motion,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Butler, Browning, Churchill, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hamlin, Harrison, Hunter, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Thomas, Warren, Weatherford, Witt, and Wood—29

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Hacker, Herndon, Moore, Ross, and Servant—7.

The bill from the House of Representatives for "An act to vacate a part of an addition to the town of Danville," was read a second time, and,

On motion of Mr. Browning,

Referred to the committee on the Judiciary.

The bills from the House of Representatives of the following titles, viz:

"An act to repeal a certain act therein named;" and

"An act to repeal part of the act, entitled 'An act to incorporate the Kaskaskia Bridge Company;'"

Were severally read a second time, and

Ordered to a third reading.

The bill from the House of Representatives for "An act supplemental to 'An act to incorporate the Rushville Railroad Company,' approved January 16, 1836," was read a second time, and,

On motion of Mr. Ross,

Referred to a select committee.

Ordered, That Messrs. Ross, Richardson, and Thomas, be that committee.

The bill from the House of Representatives for "An act to relocate a part of a certain State road therein named," was read a second time, and,

On motion of Mr. Little,

Referred to the committee on Public Roads.

The bill from the House of Representatives for "An act to prevent trespassing by cutting timber," was read the second time, and,

On motion of Mr. Richardson,

Referred to the committee on the Judiciary.

The bill from the House of Representatives for "An act relative to the town of Naples," was read the second time, and,

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Weatherford, and Herndon, be that committee.

The bill from the House of Representatives for "An act to incorporate the Menard Academy of Kaskaskia," was read a second time; and,

On motion of Mr. Servant,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 16, 1839.

Senate met pursuant to adjournment.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act to vacate the survey and plat of Garrett's addition to the town of Peoria, and also to vacate the plat of the town of Hudson, and for other purposes;"

"An act to amend an act, entitled "An act to incorporate the Carmi Bridge Company," approved Feb. 6, 1835;"

"An act to establish the county of Marshall;" and

"An act for the relief of the late Warden of the Penitentiary."

Mr. Hackelton, from the same committee, afterwards reported that they laid before the Council of Revision, on this day, the bills above mentioned.

Mr. Ross presented several petitions of the citizens of Pike county, praying for an act to appropriate, on certain objects of internal improvement, the amount due said county under the provisions of the 18th section of the act to establish and maintain a general system of internal improvement.

On motion of Mr. Ross,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Ross, Richardson, and Harrison, be that committee.

Mr. Richardson presented the petition of sundry citizens of Schuyler county, praying a division of the same.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Richardson presented the remonstrance of sundry citizens of Schuyler county, against any division of said county.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Petitions, with instructions not to report upon the same until after Monday next.

Mr. Johnston presented the petition of sundry citizens of Jefferson county, in relation to the location of the Central railroad south of Vandalia; which was read, and,

On motion of Mr. Johnston,

Referred to the committee on Internal Improvements.

Mr. Churchill moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved by the people of the State of Illinois, represented in the General Assembly, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure the adoption of the following amendment to the constitution of the United States, to wit:

"No person shall, after the fourth day of March, in the year of our Lord one thousand eight hundred and forty-one, hold the office of President of the United States longer than four years, in any term of eight years."

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles, viz:

"An act concerning the public revenue of the county of Knox;"

"An act to amend 'An act concerning the right of way, and for other purposes;"

"An act to incorporate the Schuyler County Mutual Fire Insurance Company;"

"An act to legalize the acts of John Simpson, a justice of the peace in Johnson county;" and

"An act to amend 'An act to incorporate the Caledonia Railroad Company;"

In the passage of which bills they ask the concurrence of the Senate. And he withdrew.

Mr. Wood, from the committee on Petitions, to which was referred the petition of sundry citizens of Cook county, praying that the 9th and west half of 10th range in said county be annexed to the county of Kane, reported the same back to the Senate, and asked to be discharged from a further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Wood, from the same committee, to which was referred a petition of sundry citizens of Warren county, to change the name of the town of Savannah, reported a bill, entitled a bill for "An act to change the name of the town of Savannah;" which was read the first time, and

Ordered to a second reading.

Mr. Borough, from the committee on Public Roads, to which was referred sundry petitions from Pike county, praying the establishment of State roads, reported the same back to the Senate, and asked to be discharged from a further consideration of the said petitions.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Ross,

The said petitions were referred to a select committee.

Ordered, That Messrs. Ross, Peck, and Stadden, be that committee.

Mr. Borough, from the same committee, to which was referred a bill for "An act to relocate the State road from Atlas, in Pike county, to the south line of Adams county," reported the same back to the Senate without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Borough, from the same committee, to which was referred a bill for "An act to change a part of the State road from Peoria to Knoxville, in Knox county, and for other purposes," reported the same back to the Senate without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Borough, from the same committee, to which was referred the petition for a State road from Mount Sterling to La Grange, reported the

same back to the Senate, and asked to be discharged from a further consideration of said petition.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Ross, from the select committee to which was referred a bill from the House of Representatives for "An act supplemental to 'An act to incorporate the Rushville Railroad Company,' approved January 16, 1836," reported the same back to the Senate with sundry amendments thereto; in the adoption of which they ask the concurrence of the Senate.

Whereupon,

On motion of Mr. Richardson,

The bill, with the proposed amendments, was laid on the table.

Mr. Warren, on leave given, introduced a bill for "An act to define certain property to be exempt from execution;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Mr. Witt moved to refer the same to a select committee.

Mr. Gatewood moved to refer the bill to the committee on the Judiciary.

And the question being put on Mr. Gatewood's motion,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Butler, Browning, Churchill, Gatewood, Greer, Hacker, Hamlin, Harrison, Mitchell, Monroe, Moore, Ross, and Servant—15.

Those who voted in the negative, are,

Messrs. Borough, Fithian, Fletcher, Gaston, Gibbs, Hackelton, Herndon, Hunter, Johnston, Little, Mills, Nunnally, Parrish, Peck, Richardson, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood—22.

The question recurring on the motion of Mr. Witt,

It was decided in the affirmative.

Ordered, That Messrs. Witt, Warren, and Blackwell, be that committee.

Mr. Thomas, from the select committee to which was referred a bill from the House of Representatives for "An act relative to the town of Naples," reported that they had had the same under consideration, and report the same to the Senate with an amendment; in which they ask the concurrence of the Senate.

On the question—"Will the Senate concur with the committee in their amendment?"

It was decided in the affirmative.

On motion of Mr. Thomas,

The bill as amended was then recommitted to the same select committee.

Mr. Harrison, from the select committee to which was referred the petition of the county commissioners of Jo Daviess county, and the

petition of the citizens of Galena, asking for the appropriation of the fifteen per cent. forfeited on the contracts of Dougherty and Power, reported a bill for "An act to authorize the Commissioners of Public Works to pay over the fifteen per cent. forfeited by Power and Dougherty;" which was read the first time, and

Ordered to a second reading.

Mr. Hamlin, on leave given, introduced a bill for "An act to legalize the survey of certain State roads;" which was read the first time, and

Ordered to a second reading.

Mr. Peck, on leave given, introduced a bill for "An act to incorporate the Union Agricultural Society;" which was read the first time, and

Ordered to a second reading.

Mr. Peck, on leave given, introduced a bill for "An act to amend an act, entitled 'An act concerning judgments and executions,' approved January 17, 1825;" which was read the first time, and

Ordered to a second reading.

On motion of Mr. Peck.

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Richardson moved to take up the bill from the House of Representatives for "An act supplemental to 'An act to incorporate the Rushville Railroad Company,' approved January 16, 1836," this day laid on the table; which was agreed to.

And on the question—"Will the Senate concur with the select committee in their amendments to said bill?"

It was decided in the affirmative.

Ordered, That the bill as amended be read a third time.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Stadden, on leave given, introduced a bill, entitled a bill for "An act to incorporate the town of Kankakee;" which was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and the said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Harrison, on leave given, introduced a bill, entitled a bill for "An act to amend the several acts incorporating the town of Galena;" which was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Greer, on leave given, introduced a bill, entitled a bill for 'An act

to amend an act, entitled 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved January 23, 1829;" which was read, and

Ordered to a second reading.

The message from the Council of Revision containing their objections to the passage of a bill, entitled "An act in relation to the town of Bloomington," was taken up, and,

On motion of Mr. Allen,

The said bill and objections were referred to the committee on the Judiciary.

The bills from the House of Representatives, entitled

"An act concerning the public revenue of the county of Knox;"

"An act to amend 'An act concerning the right of way, and for other purposes;"

"An act to legalize the acts of John Simpson, a justice of the peace in Johnson county;"

Were severally read, and

Ordered to a second reading.

A bill from the House of Representatives, entitled "An act to incorporate the Schuyler County Mutual Fire Insurance Company," was read, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Richardson, Little, and Witt, be that committee.

A bill from the House of Representatives, entitled "An act to amend 'An act to incorporate the Caledonia Railroad Company," was read the first time, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and referred to the committee on Internal Improvements.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 17, 1839.

Senate met pursuant to adjournment.

Mr. Borough, from the committee on Public Roads, to which were referred the petitions of sundry citizens of the military tract, praying the location of a State road, from Macomb to the Mississippi river, also, a road from Macomb to Appanoose, reported the same back, and asked to be discharged from a further consideration of the petitions.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Witt,

Laid on the table.

Mr. Borough, from the same committee, to which was referred a bill from the House of Representatives, entitled a bill for "An act to relocate a part of a certain State road therein named," reported the same back with an amendment thereto; in the adoption of which amendment they ask the concurrence of the Senate.

And on the question—"Will the Senate concur with the committee in their amendment to said bill?"

It was decided in the affirmative.

Ordered to a third reading.

Mr. Borough, from the same committee, to which was referred a bill for "An act to locate a certain State road therein mentioned," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles, viz:

"An act to incorporate the McKendree College;"

"An act supplemental to an act, entitled 'An act to erect certain bridges,' approved Jan. 23, 1831;"

"An act to create the county of Du Page;"

"An act to repeal part of an act to incorporate the city of Chicago;" and

"An act to amend the several acts concerning administrators and apprentices."

In the passage of which several bills they ask the concurrence of the Senate.

They have concurred in the amendment of the Senate to the bill from the House of Representatives, entitled "An act to provide for the collection of demands growing out of contracts for sales of the possession of the public lands." And he withdrew.

Mr. Nunnally, from the committee on Public Roads, to which was referred the petition of sundry citizens of Edgar and Clark counties, asking for a change in the Chicago road in said counties, reported a bill, entitled a bill for "An act to relocate a part of the Chicago road in the counties of Clark and Edgar;" which was read, and

Ordered to a second reading.

Mr. Borough, from the same committee, to which was referred the petition of sundry citizens of Hancock county, praying for a change of a State road therein named," reported a bill, entitled a bill for "An act to vacate and relocate a part of the State road leading from White's ferry to the drowning fork of Crooked creek;" which was read, and

Ordered to a second reading.

Mr. Hacker, from the committee on Internal Improvements, to which was referred the bill for "An act to amend an act to incorporate the Cal- edonia Railroad Company," reported the same without amendment, and recommended the passage of said bill.

Mr. Gibbs moved to lay the same on the table.

Mr. Stadden moved to lay the bill on the table until the fourth day of July next.

And the question being first put upon the motion to lay on the table, It was decided in the affirmative.

Mr. Richardson, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Schuyler County Mutual Fire Insurance Company," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the Council of Revision have returned to the House of Representatives, with their objections, the bill, entitled "An act making an appropriation for the Penitentiary;" that the House have amended said bill to obviate the objections of the Council, and have repassed the same.

In the repassage of which as amended they ask the concurrence of the Senate. And he withdrew.

Mr. Witt, from the select committee to which was referred a bill for "An act to define certain property to be exempt from execution," reported the same back without amendment, and recommended the passage of said bill.

Mr. Davidson moved to amend the bill by inserting after the word "mule," in the fourth line the following, viz:

"And lawyers, doctors, and clergymen, their libraries."

Mr. Witt moved to amend the amendment by adding the words, "providing such library shall not be worth more than forty-five dollars;" which was agreed to.

Mr. Herndon moved further to amend the amendment by adding, "and every mechanic the necessary tools of his trade."

Mr. Allen moved the previous question.

And on the question—"Shall the main question be now put.

It was decided in the negative.

Whereupon,

On motion of Mr. Witt,

The bill and the proposed amendments were referred back to the same select committee for a further report.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The bill from the House of Representatives, entitled "An act making an appropriation for the Penitentiary," contained in the last message, together with the amendments of the House, and the objections of the Council of Revision to the passage of the same, were taken up and read.

And on the question—"Will the Senate concur with the House of Representatives in their amendments to said bill?"

It was decided in the affirmative.

And on the question—"Shall the bill as amended be repassed?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Gatewood moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That from and after the passage of this resolution, the Senate will not meet in the afternoon, any day, until after the 30th January inst., so that thereby the various standing, select, and joint committees may be able to examine the matters referred to them, and report thereon without delay.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and the resolution read.

And on the question being put on the adoption of the resolution,

It was decided in the negative.

Mr. Greer, from the select committee to which was referred a bill for "An act making an appropriation to enclose the graves of deceased members of the Legislature in the town of Vandalia," reported the same back with several amendments thereto; in the adoption of which they ask the concurrence of the Senate.

And on the question—"Will the Senate concur with the committee in their amendments to said bill?"

It was decided in the affirmative.

Ordered, That the bill as amended be engrossed and read a third time.

The resolution offered by Mr. Nunnally, in relation to amending the 44th rule of the Senate, was read, and,

On motion of Mr. Hacker,

Laid on the table.

The resolution offered by Mr. Moore, in relation to amending the law on elections, was read, and

Mr. Churchill moved to amend by inserting after the word "voting," the words "in elections by the people;" which was agreed to.

And on the question—"Shall the resolution as amended be adopted?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Fithian, Gibbs, Hacker, Hackelton, Hamlin, Herndon, Hunter, Mills, Moore, Peck, Ross, Servant, Stadden, and Thomas,—19.

Those who voted in the negative, are,

Messrs. Borough, Davidson, Fletcher, Gaston, Gatewood, Greer, Johnston, Little, Mitchell, Monroe, Nunnally, Parrish, Turney, Warren, Weatherford, Witt, and Wood—17.

The resolution offered by Mr. Churchill, in relation to amending the constitution of the United States, was read.

Mr. Parrish moved to lay the same on the table until the 4th day of July next; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Gatewood, Parrish, Peck, Turney, Warren, Weatherford, Witt, and Wood—8.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hacker, Hackelton, Hamlin, Herndon, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Nunnally, Ross, Servant, Stadden, and Thomas—28.

And on the question being taken upon the adoption of the resolution,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hacker, Hackelton, Hamlin, Herndon, Hunter, Little, Mills, Mitchell, Moore, Monroe, Nunnally, Ross, Servant, Stadden, and Thomas—27.

Those who voted in the negative, are,

Messrs. Gatewood, Johnston, Parrish, Peck, Turney, Warren, Weatherford, Witt, and Wood—9.

Engrossed bills of the Senate:

A bill for "An act concerning landlords and tenants," was read the third time,

And on the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Fletcher, Greer, Hamlin, Peck, Ross, Servant, Thomas, and Turney—12.

Those who voted in the negative, are,

Messrs. Borough, Davidson, Fithian, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Hunter, Johnston, Mitchell, Moore, Monroe, Nunnally, Parrish, Richardson, Stadden, Warren, Weatherford, Witt, and Wood—21.

A bill for "An act to authorize limited partnerships," was read the third time, and,

On motion of Mr. Servant,

Laid on the table.

A bill for "An act to amend an act, entitled 'An act to amend the several acts in relation to common schools,'" was read the third time, and,

On motion of Mr. Thomas,

Laid on the table.

A bill for "An act to authorize Philip Jarbor and Harvey M. Jarbor to establish a ferry across the Illinois river," was read the third time, and,

On motion of Mr. Ross,

Referred to a select committee.

Ordered, That Messrs. Ross, Witt, and Turney, be that committee.

A bill for "An act to change the name of Augusta, in Pike county;"

A bill for "An act to increase the corporate powers of the town of Chester;"

A bill for "An act to prohibit betting on elections;"

A bill for "An act supplemental to an act, entitled 'An act to erect certain bridges,' approved January 22, 1831;"

A bill for "An act relating to towns therein named;"

A bill for "An act to vacate the survey and plat of the town of Middletown;"

A bill for "An act for the relief of the Judge of the sixth judicial circuit of the State of Illinois;"

A bill for "An act to amend an act concerning justices of the peace and constables, approved Feb. 3, 1827;"

A bill for "An act to amend an act, entitled 'An act forming an additional justice's district in the county of Randolph;'"

A bill for "An act providing for the improvement of certain roads in Edgar county;"

A bill for "An act concerning the town of Lynnville;"

A bill for "An act to provide for publishing the decisions of the Supreme Court;"

A bill for "An act to amend an act to incorporate the Union College of Illinois;"

A bill for "An act authorizing the building of certain bridges, and changing certain appropriations;"

A bill for "An act to incorporate the Central Seminary of Illinois;"

A bill for "An act to legalize the survey of the town of Carthage;"

A bill for "An act to locate a State road from Shelbyville to Danville;"

A bill for "An act to authorize Geo. W. Jones to establish a ferry from Jordan's ferry to Du Buque;"

A bill for "An act to establish the Illinois Asylum for the education of the deaf and dumb;"

A bill for "An act to change a part of a State road from Peoria to Knoxville, in Knox county, and for other purposes;" and

A bill for "An act to relocate the State road from Atlas, in Pike county, to the south line of Adams county;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence therein.

A bill for "An act to vacate and change a part of the State road from Salem to Chester," was read a third time and passed.

Mr. Servant moved to amend the title of the bill, so as to make it read, A bill for "An act to authorize the county commissioners' court of Randolph county to change and alter State roads in said county;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A bill for "An act making appropriation for a library for the use of the Legislature and Supreme Court," was read a third time, and,

On the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Davidson, Fletcher, Gibbs, Greer, Hacker, Little, Peck, Servant, Stadden, Thomas, Turney, and Weatherford—15.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Fithian, Gaston, Hackelton, Hamlin, Hunter, Johnston, Mills, Mitchell, Moore, Monroe, Nunnally, Parrish, Richardson, Ross, Warren, Witt, and Wood—20.

Whereupon,

On motion of Mr. Richardson,

The vote just given on the passage of said bill was reconsidered, and,

On motion of Mr. Servant,

Laid on the table.

A bill for "An act to incorporate the Edwardsville Steam-Mill Company," was read the second time, and

Ordered to be engrossed and read a third time.

A bill for "An act to build a bridge across Fox river at Ottawa," was read the second time, and,

On motion of Mr. Stadden,

Referred to a select committee.

Ordered, That Messrs. Stadden, Ross, and Harrison, be that committee.

On motion,

The Senate adjourned.

FRIDAY, JANUARY 18, 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of a bill for "An act to change part of a State road in Morgan county."

They have laid on the table, until the fourth day of July next, the resolutions from the Senate relative to the deposits of public moneys collected in this State by the General Government. And he withdrew.

Mr. Richardson presented an additional remonstrance of sundry citizens of Schuyler county, against any division of said county.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Monroe moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of empowering justices of the peace to imprison in cases of contempt of their authority, after the person has been fined, in such cases as they cannot preserve order by fines.

Mr. Peck moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of increasing the powers and duties of master in chancery.

Mr. Peck moved the adoption of the following preamble and resolution, which lie on the table one day, viz:

Whereas the laws of Congress regulating the deposit of the public money in banking institutions, exclude all Banks that may have suspended

specie-payments, or which may have issued or paid out notes of a less denomination than five dollars after the fourth of July, which was in the year of our Lord one thousand eight hundred and thirty-six, from becoming depositories of such public moneys; and whereas the Banks in Illinois have suspended specie-payments and paid out notes of a less denomination than five dollars since the aforesaid date, and thereby deprived the United States Treasury Department of the power of giving them the public deposits; and whereas the deposits of public moneys in the Banks of our State not collected therein, to the exclusion of those of another State where the moneys are collected, may operate unequally and injuriously to the interests of institutions so excluded: Therefore,

Be it resolved by the General Assembly, That our Senators in Congress be instructed, and our Representatives be requested, to use their influence to procure such a modification of the regulations directing the mode of depositing the public funds as will place the Banks of the different States upon an equal footing, and enable the Banks in Illinois to become the depositories of the public moneys collected in this State as long as the system of making deposits in Banks shall be continued: *provided*, the Banks shall first bring themselves within such general and uniform rules and regulations as Congress shall prescribe.

Mr. Borough, from the committee on Public Roads, to which was referred the petition of sundry citizens of Vermilion county, praying the establishment of a State road, reported the same back, and asked to be discharged from a further consideration of the petition.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Fithian,

Said petition was referred to a select committee.

Ordered, That Messrs. Fithian, Nunnally, and Moore, be that committee.

Mr. Thomas, from the committee on Canals and Canal Lands, introduced a bill for "An act to provide for a loan for canal purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, laid on the table, and ordered to be printed.

Mr. Thomas, from the same committee, introduced a bill for "An act to provide for selling water lots and privileges on the Illinois and Michigan canal;" which was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, laid on the table, and ordered to be printed.

Mr. Richardson, from the committee on Elections, made the following report, viz:

The committee upon Elections having had under consideration a resolution directing them to inquire into the expediency of reporting a bill for the payment of costs in cases of contested elections coming before this body at its present session, and also regulating the payment of costs when

the right of any member elect to a seat in the General Assembly is contested, have agreed to the following report: That the courts of justice alone have the right to determine to what extent parties that have heretofore been engaged in contests for seats in the General Assembly are liable, and that it would be a usurpation of power for the Legislature to adjudicate upon matters that belong to the Judiciary. The committee unanimously agree that it is expedient to provide for the payment of costs in the case of contested elections in future, and they have directed me to report a bill for "An act to amend an act, entitled 'An act regulating elections;'" which was read the first time, and

Ordered to a second reading.

Mr. Nunnally moved to dispense with the rule of the Senate, and that the bill be read a second time by its title; which was not agreed to.

Mr. Borough, from the committee on Public Roads, to which was referred a bill, entitled "An act for the relocation of the State road from Charleston to Springfield," reported the same back without amendment, and recommended its passage.

Ordered to be engrossed and read a third time.

Mr. Borough, from the same committee, to which was referred the petition of sundry citizens of Hancock county, praying for the location of a certain State road therein named, reported the same back, and asked to be discharged from a further consideration of said petition.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Borough,

Laid on the table.

Mr. Thomas, from the committee on Canals and Canal Lands, introduced a bill for "An act to provide for organizing and paying the engineer corps of the Illinois and Michigan canal;" which was read the first time, and

Ordered to a second reading.

Mr. Ross, from the select committee to which was referred a bill for "An act to authorize Philip Jarbor and Harvey M. Jarbor to establish a ferry across the Illinois river," reported the same back with an amendment thereto; in the adoption of which they ask the concurrence of the Senate.

And on the question—"Will the Senate concur with the committee in their amendment to said bill?"

It was decided in the affirmative.

And on the question—"Shall the bill as amended pass?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence therein.

Mr. Richardson, from the committee on Elections, to which was referred a resolution directing them to inquire into the expediency of changing the time of electing members to Congress, reported a bill for "An act to amend an act, entitled 'An act regulating elections,' in force June 1, 1829;" which was read, and

Ordered to a second reading.

Mr. Stadden, from the select committee to which was referred a bill

for "An act to build a bridge across Fox river, at Ottawa," reported the same back with several amendments; which were read and concurred in.

On motion of Mr. Stadden,

The bill as amended was laid on the table.

Mr. Thomas, from the select committee to which was recommitted a bill from the House of Representatives, entitled a bill for "An act relative to the town of Naples," together with several proposed amendments thereto, reported the same back with several amendments thereto; which were read and concurred in.

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill as amended read a third time and passed.

On motion of Mr. Thomas,

The title of the bill was amended so as to make it read, a bill for "An act to provide for the election of justices of the peace in Naples and Meredosia, and for the appointment of certain notaries public."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence therein.

Mr. Thomas, on leave given, introduced a bill for "An act to provide for the removal of the public offices to Springfield;" which was read, and

Ordered to a second reading.

Mr. Monroe, on leave given, introduced a bill for "An act to provide for the appointment of additional judges of elections in Coles county;" which was read, and

Ordered to a second reading.

Mr. Little, on leave given, introduced a bill for "An act defining and regulating proceedings in the action of ejectments;" which was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and the bill read a second time by its title, laid on the table, and ordered to be printed.

Mr. Thomas, on leave given, introduced a bill for "An act to provide for the appointment of notaries public;" which was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The bill for "An act to authorize limited partnerships," which lies on the table, was taken up, and

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hackelton, Little, Mills, Moore, Peck, Ross, Servant, Stadden, Thomas, Turney, Warren, and Weatherford—20.

Those who voted in the negative, are,

Messrs. Allen, Butler, Gaston, Hacker, Hamlin, Hunter, Johnston, Mitchell, Monroe, Nunnally, Parrish, Witt, and Wood—13.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

Mr. Hunter, on leave given, introduced a bill for "An act to amend 'An act regulating the fees and compensation of the several officers and persons therein mentioned,' approved February 19, 1827;" which was read the first time, and

Ordered to a second reading.

Whereupon,

On motion of Mr. Greer,

The rule of the Senate was dispensed with, and said bill was read a second time by its title.

Mr. Ross moved to refer the same to the committee on the Judiciary; which was not agreed to.

Mr. Mills moved to lay said bill on the table; which was not agreed to.

Mr. Greer moved to refer said bill to a select committee; which was decided in the affirmative.

Ordered, That Messrs. Greer, Ross, and Thomas, be that committee.

Mr. Monroe, on leave given, introduced a bill for "An act to repeal all laws authorizing landlords to distrain for rent;" which was read, and

Ordered to a second reading.

Mr. Witt moved to dispense with the rule of the Senate, and read the bill now a second time; which was not agreed to.

Mr. Blackwell, on leave given, introduced a bill for "An act to prevent the carrying of concealed arms in the State of Illinois;" which was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Peck, on leave given, introduced a bill for "An act to legalize the sub-division of block thirty, in the school section addition to the town of Chicago;" which was read, and

Ordered to a second reading.

A bill from the House of Representatives, entitled a bill for "An act to create the county of Du Page," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Peck, Stadden, and Little, be that committee.

A bill from the House of Representatives, entitled a bill for "An act to repeal part of an act to incorporate the city of Chicago," was read, and

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the bill read the second time by its title, and referred to the same select committee as the last.

A bill from the House of Representatives, entitled a bill for "An act to amend the several acts concerning administrators and apprentices," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

On motion,

The Senate adjourned.

SATURDAY, JANUARY 19, 1839.

Senate met pursuant to adjournment.

Mr. Witt presented the memorial of 52 males and 48 females, citizens of Greene county, praying the repeal of all laws authorizing the sale of intoxicating liquors.

On motion of Mr. Witt,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act to provide for the collection of demands growing out of contracts for sales of the possession of public lands;"

"An act to incorporate the Menard Academy of Kaskaskia;"

"An act to change part of a State road in Morgan county;" and

"An act making an appropriation for the Penitentiary," as amended to obviate the objections of the Council of Revision.

Mr. Thomas, from the committee on Canals and Canal Lands, reported a bill, entitled a bill for "An act to amend the several laws in relation to the Illinois and Michigan canal;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and laid on the table, and ordered to be printed.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved "An act to vacate the survey and plat of Garrett's addition to the town of Peoria, and also to vacate the plat of the town of Hudson, and for other purposes." And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act for the relief of the infant heirs of Robert Coleman, deceased;"

"An act to authorize Ezra Baker, jr. and Henry I. Mills to erect a mill-dam across the Little Wabash river;"

"An act to incorporate the town of Fayette;"

"An act to vacate the plat of the town of Savannah, in Iroquois county;"

"An act to change the name of the town of Charleston, in the county of Kane, to that of St. Charles;"

"An act regulating evidence in certain cases;"

"An act to change a part of a State road therein named;"

"An act to incorporate the Springfield High School Association;"

"An act to permit William Jackson to insert a middle letter in his name;"

"An act making the office of school commissioner elective by the people;"

"An act for the relief of the heirs of John Thompson, deceased;"

"An act to incorporate the Illinois Insurance Company;" and

"An act to authorize Henry W. Cleveland to build a toll-bridge across the Winnebago swamp."

In the passage of which several bills they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bill, entitled "An act to amend an act, entitled 'An act to incorporate the Cairo City and Canal Company.'"

They have concurred with the Senate in the passage of the bill, entitled "An act to authorize the county commissioners' courts to recover certain moneys by them heretofore loaned," as amended by them; and ask their concurrence in the amendment thereto. And he withdrew.

Mr. Borough, from the committee on Public Roads, to which was referred the petition and remonstrance of the citizens of La Salle county in relation to a State road therein named, reported the same back, and asked to be discharged from the further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Stadden,

Laid on the table.

Mr. Turney, from the committee on the Judiciary, to which was referred a bill for "An act to amend an act, entitled 'An act concerning judgments and executions,' approved January 17, 1825," reported the same back without amendment, and recommended the rejection of said bill.

On motion of Mr. Witt,

Laid on the table.

Mr. Little, from the same committee, to which was referred a bill for "An act to prevent the carrying of concealed arms in the State of Illinois," reported the same back without amendment, and recommended the rejection of said bill.

Mr. Weatherford moved that the bill be laid on the table until the fourth day of July next.

Mr. Herndon moved to lay the same on the table; which was not agreed to.

And the question being taken on the motion of Mr. Weatherford, It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Davidson, Fithian, Gaston, Gibbs, Greer, Harrison, Little, Mills, Mitchell, Monroe, Richardson. Ross, Servant, Stadden, Thomas, Turney, Weatherford, and Wood—21.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Churchill, Fletcher, Hacker, Hackelton,

Hamlin, Herndon, Johnston, Moore, Nunnally, Parrish, Peck, Warren, and Witt—15.

Mr. Browning, from the same committee, to which was referred a bill for "An act to amend the act, entitled 'An act to provide for changing the venue in civil and criminal cases,' approved Jan. 23, 1827," reported the same back with several amendments thereto; which were read and concurred in.

Ordered to be engrossed as amended for a third reading.

Mr. Little, from the same committee, to which was referred a bill for "An act of incorporation for the Upper Alton Manufacturing Company," reported the same back with several amendments thereto; which were read and concurred in.

Ordered to be engrossed as amended for a third reading.

Mr. Thomas, from the same committee, to which was referred a resolution instructing said committee to report a bill increasing the salaries of certain officers therein named, reported a bill for "An act regulating salaries of the Judges of the Supreme Court;" which was read, and

Ordered to a second reading.

Mr. Davidson, from the same committee, to which was referred a bill for "An act to amend the act, entitled 'An act to regulate the interest of money,'" reported the same back without amendment, and recommended the passage of said bill:

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hacker, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Moore, Monroe, Parrish, Peck, Richardson, Servant, Stadden, Thomas, Turney, Witt, and Wood—29.

Those who voted in the negative, are,

Messrs. Blackwell, Hackelton, Johnston, Nunnally, Ross, Warren, and Weatherford—7.

Ordered, That the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Peck, from the committee on Finance, to which was referred a bill, entitled "An act defining the duties of the public binder or binders," reported the same back without amendment, and recommended the rejection of said bill.

On motion of Mr. Weatherford,

Laid on the table.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled a bill for "An act to amend an act concerning judgments and executions, approved Jan. 17, 1825," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading as amended.

Mr. Ross, from the select committee to which was referred the several petitions of Pike county, praying for the passage of a law to provide for certain improvements in said county, reported a bill for "An act to provide for certain improvements in said county;" which was read, and

Ordered to a second reading.

Mr. Hamlin, on leave given, introduced a bill for "An act concerning deeds executed without this State;" which was read, and
Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Richardson, from the committee on Elections, to which was referred a resolution directing them to inquire into the expediency of altering the mode of voting, reported the same back to the Senate, and asked to be discharged from a further consideration of the subject; which was agreed to.

Mr. Richardson moved to lay the resolution on the table until the 4th day of July next.

Mr. Thomas moved to refer the same to the committee on the Judiciary.

And the question being first put on the motion of Mr. Thomas,
It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Butler, Churchill, Fithian, Gibbs, Greer, Hacker, Hamlin, Herndon, Moore, Servant, Stadden, and Thomas—14.

Those who voted in the negative, are,

Messrs. Borough, Browning, Davidson, Gaston, Hackelton, Harrison, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Ross, Turney, Warren, Weatherford, Witt, and Wood—21.

And the question then recurring on the motion to lay on the table until the 4th day of July next,

It was decided in the affirmative.

Mr. Fithian, from the select committee to which was referred the petition of sundry citizens of Vermilion county, praying the establishment of a State road therein named, reported a bill for "An act authorizing the location of a State road through parts of Vermilion and Champaign counties; which was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Davidson, from the committee on the Judiciary, to which was referred a resolution instructing them to inquire into the expediency of amending the act relative to promissory notes, &c., reported the same back to the Senate, and asked to be discharged from a further consideration of said resolution; which was agreed to.

Whereupon,

On motion of Mr. Browning,

Said resolution was laid on the table.

Mr. Weatherford presented the petition of sundry citizens of Cass county, in relation to the improvement of the Illinois river; which was read, and,

On motion of Mr. Weatherford,

Referred to the committee on Internal Navigation.

The resolution offered by Mr. Monroe, in relation to giving justices of the peace power to imprison for contempt, &c., was read and adopted.

The resolution offered by Mr. Peck, in relation to masters in chancery, was read and adopted.

The preamble and resolution offered by Mr. Peck, in relation to the deposit of the public money without the limits of the State of Illinois, &c., was read, and

Mr. Davidson moved to lay the same on the table; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hacker, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Moore, Nunnally, Parrish, Peck, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, and Wood—30.

Those who voted in the negative, are,

Messrs. Gaston, Hackelton, Johnston, Monroe, Richardson, and Witt—6.

On motion of Mr. Thomas,

The further consideration of the orders of the day was dispensed with, and leave given him to introduce a bill for "An act to provide for a certain loan;" which was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed for a third reading.

On motion of Mr. Turney,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed.

On motion of Mr. Davidson,

The title of said bill was amended, by adding the words "for canal purposes."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

On motion of Mr. Davidson,

The bill for "An act to incorporate the Invincible Dragoons of the second division of the Illinois militia," among the orders of the day, was taken up.

A motion was made that the Senate adjourn; which was agreed to.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Davidson, Fletcher, Gaston, Hacker, Hamlin, Harrison, Johnston, Little, Mills, Mitchell, Monroe, Parrish, Peck, Servant, Thomas, Turney, Warren, and Wood—20.

Those who voted in the negative, are,

Messrs. Borough, Butler, Churchill, Fithian, Gibbs, Greer, Hackelton, Herndon, Moore, Nunnally, Ross, Stadden, Weatherford, and Witt—14.

And then the Senate adjourned.

MONDAY, JANUARY 21, 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of a bill, entitled "An act authorizing a certain loan for canal purposes." And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, a bill for "An act authorizing a certain loan for canal purposes."

Mr. Hamlin presented the petition of sundry citizens of the counties of Peoria, Knox, Henry, and Rock Island, for the location of a State road from Peoria to Stephenson.

On motion of Mr. Hamlin,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Hamlin presented the remonstrance of sundry citizens of Peoria county, against the location of a road from Peoria to Stephenson.

On motion of Mr. Hamlin,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Greer presented the petition of G. P. Russell and others, praying the relocation of the State road from Gibson's ferry, opposite Vincennes, to Palestine.

On motion of Mr. Greer,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Greer, Mills, and Gaston, be that committee.

Mr. Ross moved the adoption of the following preamble and resolution, which lie one day on the table, viz:

Whereas, by the act to establish and maintain a general system of Internal Improvements, approved February 27, 1837, one hundred thousand dollars is appropriated for the improvement of the navigation of the Illinois river; and whereas the improvement of the navigation of said river is a subject of immense interest to the people of the State, and would greatly facilitate the operations of the canal and other works of internal improvement in progress in that part of the State; and whereas said improvement is of a different character, and distinct from that of constructing railroads, and can be prosecuted more vigorously, and with greater economy, by disconnecting it from other works: Therefore,

Resolved, That the committee on Internal Improvements report a bill for an act to provide for the appointment of a commissioner to superintend said work exclusively, and that his compensation be fixed at three dollars per day.

Mr. Turney, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled a bill for "An act for the relief of the securities of Thomas Moore," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Browning, from the committee on the Judiciary, to which was referred "A bill regulating tavern and grocery license," reported the same back with an amendment to said bill; in the adoption of which they ask the concurrence of the Senate:

And on the question—"Will the Senate concur with the committee in their amendment to said bill?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Fletcher, Hamlin, Herndon, Little, Mills, Moore, Parrish, Peck, Ross, Servant, Stadden, Thomas, Turney, Witt, and Wood—20.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Davidson, Gaston, Gibbs, Greer, Hacker, Hackelton, Johnston, Mitchell, Monroe, Nunnally, Richardson, Warren, and Weatherford—15.

Mr. Stadden moved to reconsider the vote just given; which was agreed to.

Mr. Davidson moved to strike out the word "fifty," in the second section of the proposed amendment, and insert "twenty-five," in lieu thereof.

Mr. Little called for a division of the question:

And the question being taken on the motion to strike out,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Davidson, Gaston, Greer, Hacker, Hackelton, Hamlin, Johnston, Mitchell, Monroe, Nunnally, Peck, Richardson, Stadden, Warren, and Weatherford—17.

Those who voted in the negative, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Gatewood, Gibbs, Harrison, Herndon, Little, Mills, Moore, Parrish, Ross, Servant, Thomas, Turney, Witt, and Wood—19.

Mr. Davidson moved to strike out the words "five gallons," in the seventh section, and insert "one quart," in lieu thereof.

Mr. Churchill called for a division of the question:

And the question being taken on striking out.

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Davidson, Fletcher, Gaston, Hacker, Hackelton, Hamlin, Johnston, Mitchell, Monroe, Nunnally, Peck, Richardson, Stadden, Warren, Weatherford, and Witt—17.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fithian, Gatewood, Gibbs, Greer, Harrison, Herndon, Little, Mills, Moore, Parrish, Ross, Servant, Thomas, Turney, and Wood—20.

Mr. Peck moved to lay the bill with the proposed amendments on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Davidson, Gaston, Greer, Hacker, Hackelton, Johnston, Mitchell, Monroe, Nunnally, Peck, Richardson, Stadden, Warren, Weatherford, and Wood—17.

Those who voted in the negative, are,
Messrs. Allen, Browning, Butler, Churchill, Fithian, Fletcher, Gate-
wood, Hamlin, Harrison, Herndon, Little, Mills, Moore, Parrish, Ross,
Servant, Thomas, Turney, and Witt—19.

The question then recurring upon the adoption of the amendment of
the committee,

It was decided in the affirmative.

And on the question—"Shall the bill as amended be engrossed and read
a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Fletcher, Gate-
wood, Gibbs, Hamlin, Harrison, Herndon, Little, Mills, Moore, Parrish,
Ross, Servant, Thomas, Turney, Witt, and Wood—21.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Davidson, Gaston, Greer, Hacker, Hack-
elton, Johnston, Mitchell, Monroe, Nunnally, Peck, Richardson, Stadden,
Warren, and Weatherford—16.

A message from the Council of Revision, by Mr. McLean, their
Secretary:

Mr. Speaker: I am directed to inform the Senate that the Council of
Revision have approved "An act authorizing a certain loan for canal
purposes."

Mr. Browning, from the committee on the Judiciary, to which was
referred a bill for "An act to amend the several acts incorporating the
town of Galena," reported the same back with sundry amendments thereto;
which were read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Gatewood presented the petition of Jephtha Hardin, praying for the
payment of certain slaves; which was read, and,

On motion of Mr. Gatewood,

Referred to the committee on the Judiciary.

Mr. Hamlin, from the committee on Internal Navigation, to which was
referred the petition of sundry citizens of Peoria county, relative to the
draining of a certain pond therein named, reported a bill for "An act to
incorporate the La Salle Prairie Company;" which was read, and

Ordered to a second reading.

Mr. Davidson, from the committee on the Judiciary, to which was
referred a bill from the House of Representatives, entitled a bill for "An
act to prevent trespassing by cutting timber," reported the same back
without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Thomas, on leave given, introduced a bill for "An act disposing of
the public property in Vandalia;" which was read, and

Ordered to a second reading.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Hackelton, from the committee on Enrolled Bills, reported that on this day they laid before the Council of Revision a bill for "An act authorizing a certain loan for canal purposes."

On motion of Mr. Richardson,

The bill from the House of Representatives, entitled a bill for "An act to grant a compensation to the Brigade Inspector of the first brigade and third division of Illinois militia," was read the second time, and,

On motion of Mr. Borough,

Referred to the committee on Military Affairs.

The bill from the House of Representatives, entitled a bill for "An act to incorporate the Invincible Dragoons of the second division of Illinois militia," was taken up and read.

Mr. Butler moved to amend by adding to the fifth section, "by entering into bond as the law requires."

Sec. 6. In the 24th line, strike out "brigade," and insert "county."

Sec. 4. Line tenth, after the word company, insert "*Provided*; Should the minority, or any of them, be unwilling to join said brigade, they shall not be obliged so to do;" which was agreed to.

And on the question—"Shall the bill as amended pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in said amendments thereto.

The engrossed bill, entitled a bill for "An act making an appropriation to enclose the graves of deceased members of the Legislature in the town of Vandalia," was read the third time and passed.

Mr. Thomas moved to amend the title, by striking out the words, "members of the Legislature," and insert "State officers;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bills, entitled

A bill for "An act to locate a certain State road therein mentioned;"

A bill for "An act to incorporate New Haven, in Gallatin and White counties;"

A bill for "An act for the relocation of the State road from Charleston to Springfield;"

A bill for "An act to incorporate the Edwardsville Steam-mill Company;"

A bill for "An act to amend the act, entitled 'An act to provide for changing the venue in civil and criminal cases,' approved January 23, 1827;" and

A bill for "An act authorizing the location of a State road through Vermilion and Champaign counties;"

Were severally read the third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The bill from the House of Representatives, entitled a bill for "An act to change the name of the town of Vienna," was read a third time and passed.

Mr. Hackelton moved to amend the title of said bill, by adding "in the county of Fulton;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence in their amendment to said bill.

The bill from the House of Representatives, entitled a bill for "An act supplemental to 'An act to incorporate the Rushville Railroad Company,' approved January 16, 1836," was read a third time and passed.

On motion of Mr. Ross,

The title of said bill was amended, by adding "and for other purposes."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment thereto.

The bills from the House of Representatives, entitled

"An act to increase the number of justice's districts in the county of Greene;"

"An act to authorize Thomas Reynolds and Elisha Seymour to build a toll-bridge across the Kaskaskia river, at Farmington, in the county of St. Clair;"

"An act to incorporate the town of Danville;"

"An act to repeal a certain act therein named;"

"An act to repeal part of the act, entitled 'An act to incorporate the Kaskaskia Bridge Company;'"

"An act to relocate a part of a certain State road therein named;" and

"An act to incorporate the Schuyler County Mutual Fire Insurance Company;"

Were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act to amend an act, entitled 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved January 23, 1829," was read a second time, and,

On motion of Mr. Greer,

Referred to the committee on the Judiciary.

A bill for "An act to authorize the Commissioners of Public Works to pay over the fifteen per cent. forfeited by Power and Dougherty," was read a second time, and,

On motion of Mr. Stadden,

Referred to the committee on Internal Improvements.

A bill for "An act for the relief of Calhoun county," was read a second time;

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative.

A bill for "An act to incorporate the Union Agricultural Society," was read the second time, and,

On motion of Mr. Browning,

Referred to the committee on the Judiciary.

A bill for "An act to relocate a part of the Chicago road in the counties of Clark and Edgar," was read a second time.

Mr. Monroe moved to lay said bill on the table; which was not agreed to; and,

On motion of Mr. Monroe,

Referred to a select committee.

Ordered, That Messrs. Monroe, Nunnally, and Warren, be that committee.

A bill for "An act to amend an act, entitled 'An act regulating elections,' in force June 1, 1829," was read a second time.

Mr. Gatewood moved to lay the bill on the table; which was not agreed to.

Ordered to be engrossed and read a third time.

A bill for "An act to provide for organizing and paying the engineer corps of the Illinois and Michigan canal," was read a second time, and,

On motion of Mr. Thomas,

Laid on the table.

A bill for "An act to amend an act regulating elections," was read a second time, and,

On motion of Mr. Gatewood,

Laid on the table until the fourth day of July, 1850.

Mr. Warren moved to dispense with the further consideration of the orders of the day; which was not agreed to.

A bill for "An act to provide for the removal of the public offices to Springfield," was read a second time, and,

On motion of Mr. Blackwell,

Referred to the committee on the Judiciary, with the following instructions, viz:

To inquire into and report to the Senate their opinion in answer to the following questions:

1st. At what period of time the location of the seat of Government at Vandalia was made.

2d. What constitutes the location—whether the selection of the town site or the survey of the town and the laying off of the same into lots; or,

3d. Whether the removal of the public records of the State to Vandalia did not constitute the location of the seat of Government at Vandalia, according to the meaning of the Constitution.

4th. And whether, according to the Constitution, the Supreme Court of this State can be held at Springfield at any time before the first Monday in December, 1840.

Mr. Thomas moved to dispense with the further consideration of the orders of the day; which was not agreed to.

A bill for "An act to provide for the appointment of additional judges of elections in Coles county," was read a second time, and

Ordered to be engrossed and read a third time.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and the bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A bill for "An act to repeal all laws authorizing landlords to distrain for rent," was read the second time, and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

A bill for "An act regulating the salaries of the Judges of the Supreme Court," was read the second time.

Mr. Ross moved to amend, by striking out the word "fifteen," and insert "eighteen;" which was not agreed to.

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Moore, Monroe, Peck, Ross, Servant, Stadden, Thomas, Turney, and Witt—26.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Hacker, Hackelton, Johnston, Nunnally, Parrish, Richardson, Warren, Weatherford, and Wood—11.

The bills, entitled

A bill for "An act to amend 'An act concerning sheriffs and coroners,'" approved February 12, 1827;"

A bill for "An act to vacate a part of the State road leading from White's ferry to the drowning fork of Crooked creek;"

A bill for "An act to change the name of the town of Savannah;"

A bill for "An act to provide for certain improvements in Pike county;"

A bill for "An act to provide for the appointment of notaries public;"

A bill for "An act to legalize the sub-division of block thirty, in the school section addition to the town of Chicago;" and

A bill for "An act to legalize the survey of certain State roads;"

Were severally read the second time, and

Ordered to be engrossed and read a third time.

The bills from the House of Representatives, entitled a bill for "An act in relation to garnishees," and a bill for "An act to vacate certain alleys in the town of Tremont," were severally read the second time, and

Referred to the committee on the Judiciary.

A bill from the House of Representatives, entitled a bill for "An act for the relief of the inhabitants of township number two south, range eight east, in Wayne county," was read the second time, and,

On motion of Mr. Browning,

Referred to the committee on School Lands and Education.

The bill from the House of Representatives, entitled a bill for "An act to authorize Benjamin McKay and others to lay off additional lots in the town of Stephenson, in Rock Island county," was read a second time, and

Ordered to a third reading.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 22, 1839.

Senate met pursuant to adjournment.

Mr. Hackelton, from the committee on Enrolled Bills, reported that on Saturday they laid before the Council of Revision bills of the following titles:

"An act to provide for collection of demands growing out of contracts for the sales of the possession of public lands;"

"An act to incorporate the Menard Academy of Kaskaskia;"

"An act to change part of a State road in Morgan county;" and

"An act making an appropriation for the Penitentiary," as amended to obviate the objections of the Council of Revision.

Mr. Hackelton presented the petition of sundry citizens of Fulton county, praying for the passage of an act explanatory of the law regulating interest.

On motion of Mr. Hackelton,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Blackwell presented the petition of John Knight, of Fayette county, on the subject of conveying land, &c.

On motion of Mr. Blackwell,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act to establish the counties of Menard, Logan, and Dane."

"An act to change a certain State road in Morgan county;"

"An act to incorporate the Mississippi and Grand Tower Bridge Company;"

"An act to authorize L. D. Hilerman to build a mill-dam across the Little Wabash river, in Clay county;"

"An act declaring Mill and Big creeks navigable, in Clark county;"

"An act to incorporate the Elgin Academy;"

"An act authorizing patents to be recorded, and certain copies to be read in evidence;"

"An act to constitute the town of Manchester a justice's and constable's district;"

"An act to vacate the town plat of the town of Auburn;"

"An act to amend the acts in relation to constables;"

"An act in relation to the town of Springfield;" and

"An act to prevent the circulation of bank notes of a less denomination than five dollars;"

In the passage of which they ask the concurrence of the Senate. And he withdrew.

Mr. Gatewood moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the Commissioners of the Board of Public Works shall so construe that portion of a resolution which passed the Senate

some days since, calling on the Board to "*specify the particular items for which the money has been expended,*" so as to mean a general abstract of the vouchers filed in the Fund Commissioners' office—and not a full copy of the vouchers taken by them.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and the resolution read and adopted.

Mr. Pasrish moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved by the people of the State of Illinois, represented in the General Assembly, That we disapprove of the management and conduct of the Military Academy at West Point, in the State of New York, and that the delegation of this State in Congress be requested to use their best exertions to correct those abuses, if any, in that institution; and, if the same cannot be done, to abolish the institution.

Mr. Hamlin moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the Commissioners of the Board of Public Works be required to report to the Senate the reasons that have influenced them to withhold from contract, or commencement, the whole of the Peoria branch of the Bloomington railroad; and whether or not it is intended by the Board that any portion of the ten miles authorized by them to be put under contract during the present season, on the Peoria, Pekin, and Bloomington railroad, is to be located upon the Peoria branch of said road.

Mr. Gatewood moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the committee on the Judiciary be instructed to prepare and report a bill to repeal the law creating the present office of probate justice of the peace, and restoring the former laws on that subject.

Mr. Browning moved to dispense with the rule of the Senate, and that the resolution be now considered; which was not agreed to.

Mr. Gatewood presented the petition of the trustees of the town of Shawneetown, praying an increase of their corporate powers.

On motion of Mr. Gatewood,

The reading of the same was dispensed with, and referred to a select committee,

Ordered, That Messrs. Gatewood, Davidson, and Johnston, be that committee.

Mr. Davidson, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled a bill for "An act to amend an act, entitled 'An act authorizing a lottery to raise funds for the purpose of draining the ponds of the American bottom,'" reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Gatewood presented the petition of Calvin Gold, praying for relief.

On motion of Mr. Gatewood,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Warren, on leave given, introduced a bill, entitled "An act to appoint commissioners to divide the real estate of William Dugger, deceased, of Shelby county;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and the bill was read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Hackelton, on leave given, introduced a bill, entitled a bill for "An act to improve the navigation of Spoon river;" which was read, and

Ordered to a second reading.

Mr. Weatherford, from the committee on Military Affairs, to which was referred a bill from the House of Representatives, entitled a bill for "An act to grant a compensation to the Brigade Inspector of the first brigade and third division of Illinois militia," reported the same back without amendment, and recommended the passage of said bill.

Mr. Thomas moved to strike out all after the enacting clause; which was not agreed to.

Mr. Thomas moved to amend by adding the following, as an additional section, viz:

"All laws allowing pay to Brigade Inspectors are hereby repealed;" which was decided in the affirmative.

Ordered to a third reading as amended.

Mr. Davidson, on leave given, introduced a bill, entitled "A bill making an additional appropriation of \$150,000 to the improvement of the navigation of the Little Wabash river;" which was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

On motion of Mr. Weatherford,

Referred to the committee on Internal Improvements.

Mr. Harrison on leave given, introduced a bill for "An act to authorize the commissioners of the county of Winnebago to sell certain lots;" which was read, and

Ordered to a second reading.

Mr. Monroe, from the select committee to which was referred a bill for "An act to relocate a part of the Chicago road in the counties of Clark and Edgar," reported the same back without amendment, and recommended the rejection of said bill; which was not agreed to.

Ordered to be engrossed and read a third time.

Mr. Ross, from the select committee to which was referred the petition of sundry citizens of Pike county, praying for a law to change a part of a State road, &c., reported a bill, entitled a bill for "An act to relocate a part of the State road from Calhoun county to Schuyler county;" which was read, and

Ordered to a second reading.

Mr. Harrison, from the select committee to which was referred the petition of sundry citizens of Rock Island and Mercer counties, praying for the location of a road from Pope's creek to Edwards river, and thence to

Stephenson, reported a bill for "An act to locate a State road from Pope's creek, via Edwards river, to Stephenson;" which was read, and

Ordered to a second reading.

Mr. Little, on leave given, introduced a bill for "An act appointing an additional notary public for the county of Hancock;" which was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Ordered to be engrossed and read a third time.

Mr. Hackelton, on leave given, introduced a bill for "An act to regulate and limit the compensation of officers, engineers, and others in the service of the State;" which was read the first time, and

Ordered to a second reading.

Mr. Nunnally moved to dispense with the rule of the Senate, and that the bill be read a second time; which was not agreed to.

Mr. Peck, from the select committee to which was referred a bill from the House of Representatives, entitled a bill for "An act to repeal part of an act to incorporate the city of Chicago," reported the same back with several amendments thereto; which were severally read and concurred in.

Ordered to a third reading as amended.

On motion of Mr. Thomas,

A bill for "An act to build a bridge across Fox river, at Ottawa," was taken up.

Mr. Stadden moved to amend the first section of said bill, by adding the following, viz:

"*Provided*, Said bridge shall not interfere with the aqueduct, or the navigation of Fox river;"

Amend the third section, by adding "three cents for each footman;"

Also amend, by adding the following sections, viz:

SEC. 7. In building or raising the bridge, no timber, stone, or materials, shall be placed upon ground or in such a situation as to be in the way of or interfere with the work progressing on the Illinois and Michigan canal, or any work connected therewith.

SEC. 8. Said bridge shall be deemed a public highway within the meaning of the laws providing for the punishment of persons injuring, obstructing, or destroying public bridges, in any manner or by any means whatever; which was agreed to.

Ordered to be engrossed, as amended, and read a third time.

On motion of Mr. Murray,

The bill some days since laid on the table, entitled a bill for "An act to extend the corporate powers of the president and trustees of the town of Belleville," was taken up, and

Referred to a select committee.

Ordered, That Messrs. Murray, Moore, and Churchill, be that committee.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the Chester Insurance Company,"

reported the same back with sundry amendments thereto; which were read and concurred in.

Ordered to be engrossed, as amended, and read a third time.

Mr. Peck, on leave given, introduced a bill for "An act to regulate the fees of notaries public in certain cases;" which was read, and

Ordered to a second reading.

Mr. Nunnally moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the committee on Internal Improvements be instructed to inquire into the expediency of improving the Chicago and Vincennes road, out of the internal improvement fund, in conjunction with funds that may be appropriated to said object by the counties through which said road runs—and through which no railroad or canal runs, made at the expense of the State; and that they report by bill or otherwise.

On motion of Mr. Little,

The vote taken yesterday upon laying on the table, until the fourth day of July, 1850, a bill for "An act to amend an act regulating elections," was reconsidered.

Whereupon,

On motion of Mr. Richardson,

Said bill was recommitted to the committee on Elections.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the town of Kaskaskia," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Bills from the House of Representatives on their first reading:

A bill for "An act supplemental to an act, entitled 'An act to erect certain bridges,' approved January 23, 1831," was read the first time, and,

On motion of Mr. Butler,

Laid on the table.

A bill for "An act to incorporate the McKendree College," was read, and

Ordered to a second reading.

On motion of Mr. Moore,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Moore,

Referred to the committee on School Lands and Education.

A bill for "An act for the relief of the infant heirs of Robert Coleman, deceased," was read, and

Ordered to a second reading.

On motion of Mr. Moore,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Browning,

Referred to the committee on the Judiciary.

A bill for "An act to authorize Ezra Baker, jr. and Henry I. Mills, to erect a mill-dam across the Little Wabash river," was read, and

Ordered to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on Internal Improvements.

A bill for "An act to incorporate the town of Fayette," was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to a third reading.

"A bill for "An act to vacate the plat of the town of Savannah, in Iroquois county," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to a third reading.

A bill, entitled "An act to change the name of the town of Charleston, in the county of Kane, to that of St. Charles," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to a third reading. ^{u u} he

A bill for "An act regulating evidence in certain cases," was read, and

Ordered to a second reading.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

A bill for "An act to change a part of the State road therein named," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Weatherford,

Referred to a select committee.

Ordered, That Messrs. Weatherford, Thomas, and Blackwell, be that committee.

A bill for "An act to incorporate the Springfield High School Association," was read, and

Ordered to a second reading.

On motion of Mr. Herndon,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Herndon, Fletcher, and Thomas, be that committee.

A bill for "An act to permit William Jackson to insert a middle letter in his name," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Mr. Browning moved to refer the said bill to the committee on Internal Improvements; which was not agreed to.

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was further dispensed with, and the bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill for "An act making the office of school commissioner elective by the people," was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, the bill read a second time by its title, and referred to the committee on School Lands and Education.

A bill for "An act for the relief of the heirs of John Thompson, deceased," was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to a third reading.

A bill for "An act to incorporate the Illinois Insurance Company," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

A bill for "An act to authorize Henry W. Cleaveland to build a toll-bridge across the Winnebago swamp," was read, and

Ordered to a second reading.

A bill for "An act to change a certain State road in Morgan county," was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to a third reading.

Mr. Gibbs, on leave given, introduced a bill, entitled "An act to incorporate a company to construct a turnpike road from Golconda, through

Vienna and Jonesboro, to the Mississippi river, opposite Cape Girardeau, in Missouri;" which was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and,

On motion of Mr. Thomas,

Referred to the committee on Internal Improvements.

Mr. Hacker, on leave given, introduced a bill for "An act laying out a State road in Alexander county;" which was read, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 23, 1839.

Senate met pursuant to adjournment.

Mr. Thomas presented the petition of sundry citizens of the counties of Morgan and Cass, praying the establishment of a State road from Beardstown, via Aren's mill and Lynnvile, to Manchester; which was read, and,

On motion of Mr. Thomas,

Referred to the committee on Public Roads.

Mr. Harrison presented the petition of the Galena Chamber of Commerce, praying for an act of incorporation; which was read, and,

On motion of Mr. Harrison,

Referred to the committee on the Judiciary.

Mr. Witt moved the adoption of the following preamble and resolutions, which lie on the table one day, viz:

Whereas the great and increasing population, and vigorous enterprise of the United States, create a necessity and furnish ample ability to protect and guard from fraud and usurpation all the territory to which we as a nation have right and title; and in the opinion of this General Assembly, enlightened policy and imperious duty alike recommend the expediency and necessity of a speedy adjustment of all conflicting claims to our domain, that the same may be preserved and transmitted free of embarrassment to posterity: *And whereas* the title of the United States to the territory of Oregon is indisputable, but pretended to be controverted by the Kingdom of Great Britain: *and whereas* experience has taught us to look with suspicion on the tardy, protracted, and vacillating course of diplomacy, which has marked the negotiations, or attempts at negotiation, of our rival claimant to this valuable and beautiful territory, and leave us nothing to hope or expect from a temporising policy: therefore,

Resolved by the Senate, the House of Representatives concurring, That

our Senators in Congress be instructed, and our Representatives requested, to use their exertions and influence for the immediate adoption of the most efficient measures for the speedy and permanent adjustment and settlement of the title of the United States to the territory of Oregon.

Resolved, That the Governor be requested to transmit a copy of the preceding preamble and resolutions to each of our delegates in Congress.

Mr. Wood, from the committee on Petitions, to which was referred the petition and remonstrance of sundry citizens of the county of Schuyler, in relation to the division of said county, reported a bill for "An act to create the county of Brown out of a part of the county of Schuyler;" which was read, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on Petitions.

Mr. Borough, from the committee on Public Roads, to which was referred the petition of sundry citizens of Warren, Mercer, and Rock Island counties, praying for a State road, &c., reported a bill, entitled a bill for "An act to locate a State road from the northern boundary of Warren county to Illinois city, in Rock Island county;" which was read, and

Ordered to a second reading.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill for "An act to amend an act, entitled 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved Jan. 23, 1829," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Wood, from the committee on Petitions, to which was referred the petition of George H. Wright, praying that the survey of a block of lots in Monmouth be vacated, reported a bill for "An act to vacate the survey and plat of the sub-division of block forty-one in the town of Monmouth;" which was read, and

Ordered to a second reading.

On motion of Mr. Butler,

The rule of the Senate was dispensed with, the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Borough, from the committee on Public Roads, to which was referred the petition of sundry citizens of Whiteside county, praying a review of a State road from Galena to Prophet's town, reported a bill for "An act to relocate the State road at and near Prophet's town;" which was read, and

Ordered to a second reading.

Mr. Thomas, from the committee on the Judiciary to which was referred a bill for "An act to provide for the removal of the public offices to Springfield," together with instructions, reported the same back with several amendments; which were read and concurred in.

Ordered to be engrossed as amended and read a third time.

The said committee also make the following report, viz:

The committee on the Judiciary have had under consideration the bill

for "An act to provide for the removal of the public offices to Springfield," together with the instructions of the Senate to inquire into and report upon the following propositions:

1st. At what period of time the location of the seat of Government at Vandalia was made.

2d. What constitutes the location—whether the selection of the town site or the survey of the town, and the laying off of the same into lots.

3d. Or whether the removal of the public records of the State to Vandalia did not constitute the location of the seat of Government at Vandalia, according to the meaning of the Constitution.

4th. And whether, according to the Constitution, the Supreme Court of this State can be held at Springfield at any time before the first Monday in Dec., 1840: submit the following as the result of their investigation.

The Constitution provides that "the General Assembly at their first session holden under the authority of this Constitution, shall petition the Congress of the United States to grant to this State a quantity of land, to consist of not more than four nor less than one section, or to give to this State the right of pre-emption in the purchase of said quantity of land; the said land to be situated on the Kaskaskia river, as near as may be, east of the third principal meridian, on said river. Should the prayer of said petition be granted, the General Assembly, at their next session thereafter, shall provide for the appointment of five commissioners to make the selection of land so granted; and shall further provide for laying out a town upon said land so selected; which town so laid out shall be the seat of Government for the term of twenty years." The first session of the General Assembly, holden under the authority of the Constitution, commenced on the first Monday in October, 1818; and during that session, the petition required to be presented to the Congress of the United States by the foregoing provision of the Constitution, was agreed to, and forwarded to Congress.

On the third day of March, 1819, an act of Congress was approved, granting to the State the land petitioned for according to the prayer of the petition.

The second session of the General Assembly of the State commenced on the — day of —, 1819; and on the 30th March, 1819, the act, entitled "An act for the removal of the seat of Government of the State of Illinois," was approved by the Council of Revision. This act provides:

1st. For the appointment of five commissioners to select a suitable site, whereon to fix the seat of Government of this State agreeable to the donation of the Congress of the United States and the Constitution of this State.

2d. For the laying out a town by the commissioners, selling lots, and the building of a suitable house for the reception of the General Assembly of this State at their next stated session.

The commissioners, acting under the authority of this act, selected the "site" on the twelfth day of June, 1819, and without delay caused the town of Vandalia to be laid out according to the provisions of said act. The plat of the town made under the direction of the commissioners, is dated July, 1819: the day of the month is not given. The foregoing statement of facts shows that, under the provisions of the Constitution, the site of the town of Vandalia was selected on the twelfth day of

June, 1819. Every thing required by the Constitution to fix and locate the seat of Government was done as early as July, 1819; and in the opinion of the committee, in contemplation of law, Vandalia was the seat of Government of the State of Illinois upon the "laying out the town upon the lands selected" under the provisions of the Constitution; and this being done in July, 1819, the time required for the seat of Government to remain at Vandalia will expire in July, 1839.

The committee, therefore, recommend the passage of the bill, as proposed to be amended, so as to make the time at which the seat of Government shall be at Springfield the fourth day of July, one thousand eight hundred and thirty-nine, and the time for holding the first term of the Supreme Court on the second Monday in July next.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolutions, viz:

Resolved by the General Assembly of the State of Illinois, That it is not the true policy of the United States to establish an Independent Treasury or a Sub-treasury system, nor to collect and disburse the public revenue in specie, to the exclusion of the notes of specie paying banks.

Resolved, That our Senators in Congress be instructed, and our Representatives be requested, to vote against any law or resolution having for its object the adoption of the Independent or Sub-treasury system, in any form whatever.

Resolved, That it is inexpedient to consume the time of the Legislature, and waste the money of the people, in acting on resolutions which merely involve national politics.

In the adoption of which several resolutions they ask the concurrence of the Senate. And he withdrew.

Mr. Gatewood, from the committee on School Lands and Education, to which was referred a resolution of inquiry in relation to the establishment of ferries on the sixteenth sections, reported a bill for "An act establishing ferries on sixteenth sections for the use of the inhabitants of townships;" which was read, and

Ordered to a second reading.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Mr. Churchill moved to amend by adding the following, as an additional section:

SEC. 9. All necessary expenses incurred by the school commissioner in advertising and leasing or selling any school lands, as well as his compensation for his services in the premises, shall be paid out of the rents or interest of such school lands under the direction of the county commissioners' courts, if the township owning such school land is not incorporated, and under the direction of the trustees of schools of the township, if the same be incorporated; which was agreed to.

Ordered to be engrossed as amended, and read a third time.

Mr. Murray, from the select committee to which was referred a bill for "An act to extend the corporate powers of the president and trustees

of the town of Belleville," reported the same back with several amendments thereto; which were read and concurred in.

Ordered to be engrossed as amended, and read a third time.

On motion of Mr. Ross,

A bill for "An act to provide for certain improvements in Pike county," was taken up, and,

On motion of Mr. Servant,

Referred to a select committee of five.

Ordered, That Messrs. Servant, Ross, Witt, Thomas, and Little, be that committee.

Mr. Peck, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to create the county of Du Page," reported the same back with several amendments thereto; which were read and concurred in.

Ordered, That the bill, as amended, be read a third time.

Mr. Hacker moved for adoption the following resolution, viz:

Resolved, That the committee on Canals and Canal Lands be instructed to inquire into the expediency of making an allowance to Justice Post, of Alexander county, for former services rendered on the Illinois and Michigan canal; and that they report by bill or otherwise.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said resolution was taken up for consideration.

Mr. Thomas moved to amend by inserting after the word services, "as engineer by him," and also add "if allowed, to be paid out of the canal fund," "and that they have power to send for persons and papers;" which was agreed to, and the resolution as amended adopted.

Mr. Wood moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of constructing a branch railroad, from Pinckneyville, in Perry county, to Chester, in Randolph county.

Mr. Richardson moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved by the Senate, That the committee on Internal Improvements be instructed to inquire into the propriety of abolishing the "office of Fund Commissioners," and transferring the duties thereof to the Governor of the State; with power to report by bill or otherwise.

The preamble and resolution offered by Mr. Ross, in relation to the improvement of the navigation of the Illinois river, were read;

Whereupon, Mr. Hacker moved to amend the resolution, so as to make it read, "to inquire into the expediency of reporting a bill," &c.; which was agreed to, and the resolution as amended adopted.

The resolution of Mr. Parrish, relative to the Military Academy at West Point, was read.

Mr. Thomas moved to amend by striking out the words "if any," in the 7th and 8th line; which was agreed to.

Whereupon,

On motion of Mr. Richardson,

Said resolution, as amended, was referred to a select committee.

Ordered, That Messrs. Richardson, Parrish, and Browning, be that committee.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Richardson, from the committee on Petitions, to which was referred a bill for "An act to create the county of Brown out of a part of the county of Schuyler," reported the same back with several amendments thereto; which were read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Parrish, on leave given, introduced a bill, entitled a bill for "An act to relocate a part of a State road in Franklin county;" which was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Servant, from the select committee to which was referred a bill for "An act to provide for certain improvements in Pike county," reported the same back with an amendment; which was read and concurred in.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

On motion of Mr. Little,

A bill from the House of Representatives, entitled a bill for "An act to incorporate the town of Warsaw," was taken up, and read the second time, and referred to a select committee.

Ordered, That Messrs. Little, Stadden, and Greer, be that committee.

Mr. Thomas, from the select committee to which was referred a bill from the House of Representatives, entitled a bill for "An act to incorporate the Springfield High School Association," reported the same back without amendment, and recommended the passage of said bill.

On motion of Mr. Herndon,

The rule of the Senate was dispensed with, and the bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have passed a bill of the following title, viz: "An act to establish the county of Scott."

In the passage of which they ask the concurrence of the Senate. And he withdrew.

Mr. Browning, from the committee on the Judiciary, to which was referred the petition of Robert Tillson and others, praying for an act to incorporate the town of Quincy, reported a bill for "An act to incorporate the town of Quincy;" which was read, and

Ordered to a second reading.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and,

Ordered to be engrossed and read a third time.

On motion of Mr. Weatherford,

The bill from the House of Representatives, entitled a bill for "An act to establish the county of Scott," was taken up and read the first time, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Weatherford, Thomas, and Borough, be that committee.

The resolution offered by Mr. Hamlin, calling upon the Commissioners of the Board of Public Works for a report in relation to the Peoria, Pekin and Bloomington railroads, was read, and adopted.

A message from the House of Representatives, by Mr. Johnston, their Assistant Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted a preamble and resolutions in relation to the establishment of a Surveyor General's office in the State of Illinois.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

On motion of Mr. Weatherford,

The vote upon the passage of a bill, entitled a bill for "An act to incorporate the Springfield High School Association," was reconsidered.

Whereupon, Mr. Ross moved to refer said bill to the committee on School Lands and Education; which was not agreed to.

Mr. Hacker moved to lay the bill on the table; which was not agreed to.

Mr. Thomas moved to amend, by adding the following, as an additional section:

SEC. The corporation hereby created shall have no power to use any portion of the funds which may be obtained under the provisions of this act, except to purposes of education; nor shall the trustess thereof be permitted to sell any property which may be purchased, nor use any such property, except for those purposes; and the proceeds of all property, at any time owned, shall be applied exclusively to the purpose of education.

Whereupon,

On motion of Mr. Gatewood,

The bill and proposed amendment were laid on the table until the fourth day of July next.

On motion of Mr. Hacker,

The bill from the House of Representatives, entitled a bill for "An ac

to amend an act to incorporate the Caledonia Railroad Company," some days since laid on the table, was taken up :

Whereupon,

On motion of Mr. Gatewood,

Referred to a select committee.

Ordered, That Messrs. Gatewood, Hacker, and Thomas, be that committee.

On motion,

The Senate adjourned.

THURSDAY, JANUARY 24, 1839.

Senate met pursuant to adjournment.

Mr. Stadden presented the petition of Isaac Dimick, praying the passage of an act to vacate a part of the town plat of Vermilionville, in the county of La Salle.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Hackelton presented the petition of Absalom Maxwell and others, relating to a State road from Lewiston to Knoxville.

On motion of Mr. Hackelton,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Hackelton, Stadden, and Ross, be that committee.

Mr. Wood moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Seminary, School Lands and Education be instructed to inquire into the expediency of providing by law for the building a good comfortable school house in each township where the sixteenth sections of said township may have been sold; and report by bill or otherwise.

Mr. Turney moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Canals and Canal Lands inquire into the expediency of passing a law authorizing the Commissioners of the Illinois and Michigan canal to pay Z. Holcum for the building of certain bridges on the Archer road; and that they have power to send for persons and papers.

Mr. Blackwell moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the Commissioner of the second judicial circuit be requested to report to the Senate a description of the abutments intended to be constructed for the viaduct and bridge across the Kaskaskia river where the Central railroad crosses the same, and, if to be constructed of brick, the reasons for using that material.

Mr. Nunnally moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the committee on Public Roads be instructed to inquire into the propriety of reporting a bill having for its object the exemption of ministers of the Gospel from working on roads.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill from the House of Representatives, entitled a bill for "An act to authorize Ezra Baker, jr., and Henry I. Mills to erect a mill-dam across the Little Wabash river," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of the bill, entitled "An act for the relief of Robert Davis and others."

They have passed bills of the following titles, viz:

"An act to authorize the relocation of part of the State road leading from Stephenson to the mouth of Pickatonicka;"

"An act to locate a State road from Mount Sterling, in Schuyler county, to Macomb, in McDonough county;"

"An act to define the bounds of Boon county;"

"An act to organize the county of Carroll;"

"An act to change part of the State road leading from Equality to Vienna;"

"An act supplementary to 'An act to incorporate the Alton Marine and Fire Insurance Company;'"

"An act to incorporate the Charleston Marine and Fire Insurance Company;"

"An act to authorize James T. Gifford and Samuel I. Kimball to build a dam across Fox river;"

"An act to incorporate the Mount Carmel Female Seminary;"

"An act concerning State roads;"

"An act for the formation of Lake county;"

"An act supplemental to an act, entitled 'An act to regulate the action of replevin,' approved January 29, 1827;" and

"An act to authorize the county commissioners of Bond county to loan certain funds therein mentioned."

In the passage of which they ask the concurrence of the Senate. And then he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act to repeal a certain act therein named;"

"An act to amend an act, entitled 'An act to incorporate the Cairo City and Canal Company;'"

"An act to authorize Thomas Reynolds and Elisha Seymour to build a toll-bridge across the Kaskaskia river, at Farmington, in the county of St. Clair;"

"An act to repeal part of the act, entitled 'An act to incorporate the Kaskaskia Bridge Company;'"

"An act to increase the number of justice's districts in the county of Greene;"

"An act to relocate a part of a certain State road therein named;"

"An act to change the name of the town of Vienna, in the county of Fulton;" and

"An act to incorporate the Schuyler County Mutual Fire Insurance Company."

Mr. Hackelton, from the same committee, afterwards reported that on this day they laid the above mentioned bills before the Council of Revision.

Mr. Browning, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives, entitled a bill for "An act to incorporate the McKendree College," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Borough, from the committee on Public Roads, to which was referred sundry petitions from Morgan and Cass counties, praying a road from Beardstown to Manchester, reported a bill for "An act to establish a State road from Beardstown to Manchester;" which was read, and

Ordered to a second reading.

On motion of Mr. Servant,

Leave of absence was granted to Mr. Bond, Secretary of the Senate, for the space of two days.

A message from the Governor, by Mr. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill, entitled "An act to incorporate a company to construct a turnpike road from Golconda, through Vienna and Jonesboro, to the Mississippi river, opposite Cape Girardeau, in Missouri," reported the same back with an amendment; which was read and concurred in.

On motion of Mr. Witt,

Laid on the table.

Mr. Peck, from the committee on Finance, to which was referred a resolution to inquire into the expediency of increasing the pay of grand and petit jurors, reported a bill, entitled a bill for "An act to amend an act, entitled 'An act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties;'" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Witt, Peck, and Weatherford, be that committee.

Mr. Weatherford, from the select committee to which was referred a bill from the House of Representatives, entitled a bill for "An act to establish the county of Scott," reported the same back with sundry amendments to said bill; which were read and concurred in.

Ordered to a third reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill as amended, and ask their concurrence therein.

Mr. Little, from the select committee to which was referred a bill from the House of Representatives, entitled a bill for "An act to incorporate the town of Warsaw," reported the same back with several amendments thereto; which were read and concurred in.

Ordered to a third reading as amended.

Mr. Greer, from the select committee to which was referred a bill for "An act to amend 'An act regulating the fees and compensation of the several officers and persons therein mentioned,' approved February 19, 1827," reported the same back with an amendment; which was read and concurred in.

On motion of Mr. Servant.

Referred to the committee on the Judiciary.

Mr. Murray moved the adoption of the following resolutions, which lie on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of changing the location of that part of the Mount Carmel and Alton railroad between Carlyle and Edwardsville, so as to intersect the Alton and Shawneetown railroad at Lebanon.

2d. The amount of funds thereby saved shall be applied to the great western mail route, in McAdamizing the same from Lebanon to the Mississippi river.

3d. That the Board of Public Works be required to report to the committee on Internal Improvements the practicability and utility of said alteration.

Mr. Mills, on leave given, introduced a bill, entitled a bill for "An act supplemental to the several acts relative to the Wabash Navigation Company;" which was read, and

Ordered to a second reading,

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

On motion of Mr. Murray,

Referred to the committee on the Judiciary.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendment to the bill, entitled "An act to establish the county of Scott." And he withdrew.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Turney, from the committee on the Judiciary, reported a bill, entitled a bill for "An act dividing the State into judicial circuits;" which was read, and

Ordered to a second reading.

Mr. Monroe moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the committee on Internal Improvements be instructed to report a bill providing that all work hereafter put under contract, on any route authorized by law, shall be in a continuous line commencing at the terminating point of said routes.

Mr. Parrish, on leave given, introduced a bill for "An act to amend 'An act to establish and maintain a general system of Internal Improvement,' approved February 27, 1837;" which was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on Internal Improvements.

Mr. Parrish presented the petition of sundry citizens of Franklin county, relating to internal improvement.

On motion of Mr. Parrish,

The reading of the same was dispensed with, and referred to the committee on Internal Improvement.

Mr. Wood presented the petition of sundry citizens of the county of Washington, against any change of the Central railroad.

On motion of Mr. Wood,

The reading of the same was dispensed, and referred to the committee on Internal Improvements.

Mr. Thomas moved the adoption of the following order, viz:

The order of business in the Senate shall, hereafter, be as follows:

1. The reading of the journal.
2. The presentation of petitions.
3. Reports from standing committees.
4. Reports from select committees.
5. Presentation of resolutions.
6. Introduction of bills.
7. Reading bills of the Senate the third time.
8. Reading bills of the Senate the second time.
9. Reading bills from the House of Representatives the third time.
10. Reading bills from the House of Representatives the second time.
11. Messages from the House of Representatives.

And when the Senate shall have passed from one order to another, no action shall be had upon the orders passed except by leave of the Senate; and to give this leave three-fourths of the Senators present must concur.

Mr. Browning moved to amend said order, by making bills on their third reading made the order of the day before bills on their second

reading; which was agreed to, and the proposition as amended adopted.

Mr. Speaker announced that the communication received this day from the Governor was upon executive business.

Whereupon, the doors were closed,

And upon the opening of the doors,

On motion of Mr. Richardson,

The bill, entitled a bill for "An act to create the county of Brown out of the county of Schuyler," was taken up, and read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

On motion of Mr. Monroe,

A bill, entitled "An act to limit the jurisdiction of justices of the peace and constables," some days since laid on the table, was taken up.

Mr. Wood moved that the bill be indefinitely postponed.

Mr. Stadden moved to refer to a select committee.

And on the question—"Shall the bill be so referred?"

It was decided in the affirmative.

Ordered, That Messrs. Stadden, Monroe, and Witt, be that committee.

The message from the House of Representatives containing the preamble and resolutions in relation to the establishing of a Surveyor General's office in the State of Illinois, was taken up, read, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The message from the House of Representatives containing the resolutions in relation to the Sub-treasury system, was read.

Mr. Gatewood moved to lay the message on the table; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—20.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, Ross, Servant, and Thomas—19.

On motion,

The Senate adjourned.

FRIDAY, JANUARY 25, 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act to establish the county of Hardin;"

"An act to incorporate the Hanover Academy;" and

"An act to regulate public carriages and the law of the road."

In the passage of which several bills they ask the concurrence of the Senate. And he withdrew.

Mr. Hamlin presented the petition of sundry citizens of Peoria county, in relation to a change in a certain State road.

On motion of Mr. Hamlin,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Hamlin, Browning, and Harrison, be that committee.

Mr. Gibbs presented the petition of sundry citizens of Gallatin and Johnson counties, praying a change in a certain State road.

On motion of Mr. Gibbs,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Gibbs, Gatewood, and Hacker, be that committee.

Mr. Thomas, from the committee on the Judiciary, to which was referred a resolution requiring the committee to report a bill increasing the compensation now allowed to the Governor and Judicial officers of this State, reported a bill, entitled a bill for "An act fixing the salary of the Governor, and requiring him to reside at the seat of Government;" which was read, and

Ordered to a second reading.

Mr. Browning moved to dispense with the rule, and that the bill be now read a second time; which was not agreed to.

Mr. Wood, from the select committee to which was referred a bill for "An act to authorize the county commissioners of Cook county to effect a loan," reported the same back with sundry amendments; which were read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Thomas, on leave given, introduced a bill for "An act relating to service of process against corporations;" which was read, and

Ordered to a second reading.

Mr. Witt, on leave given, introduced a bill for "An act to amend 'An act in relation to free negroes;'" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Browning, on leave given, introduced a bill for "An act to amend 'An act to provide for the taking of the census or enumeration of the inhabitants of the State,' approved Jan. 15, 1829;" which was read, and

Ordered to a second reading.

Mr. Fletcher, on leave given, introduced a bill for "An act to amend 'An act regulating mills and millers;'" which was read, and

Ordered to a second reading.

Mr. Blackwell, on leave given, introduced a bill for "An act to change a part of the State road from Vandalia to Salem;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Peck, on leave given, introduced a bill for "An act providing for a geological survey of the State, and for other purposes;" which was read, and

Ordered to a second reading.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act to create and organize the county of Scott;"

"An act for the relief of Robert Davis and others;" and

"An act to incorporate the town of Danville."

The resolution offered by Mr. Nunnally, in relation to the improvement of the Chicago and Vincennes road, was read and adopted.

The resolution offered by Mr. Gatewood, instructing the committee on the Judiciary to report a bill to repeal the law creating the office of probate justice of the peace, was taken up.

On the question—"Shall the resolution be adopted?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Harrison, Hunter, Little, Mills, Mitchell, Moore, Monroe, Peck, Servant, and Wood—23.

Those who voted in the negative, are,

Messrs. Borough, Hackelton, Hamlin, Herndon, Johnston, Murray, Nunnally, Parrish, Richardson, Ross, Stadden, Thomas, Turney, Warren, Weatherford, and Witt—16.

The preamble and resolution offered by Mr. Witt, in relation to the territory of Oregon, were read.

Mr. Browning moved to lay the same on the table; which was not agreed to.

On motion of Mr. Servant,

Referred to the committee on the Judiciary.

The resolution offered by Mr. Wood, relative to constructing a branch railroad from Pinckneyville to Chester, was read and adopted.

The resolution offered by Mr. Richardson, in relation to the propriety of abolishing the office of Fund Commissioner, was read and adopted.

The resolution offered by Mr. Turney, relative to paying Z. Holcum for building certain bridges on the Archer road, was read and adopted.

The resolution offered by Mr. Blackwell, requesting the Commissioner of the second judicial circuit to report in relation to the viaduct across the Kaskaskia river, was read and adopted.

The resolution offered by Mr. Wood, in relation to the building of school houses in townships where the sixteenth sections have been sold, was read and adopted.

The resolution offered by Mr. Nunnally, in relation to reporting a bill exempting ministers of the Gospel from working on roads, was read and adopted.

The resolutions offered by Mr. Murray, in relation to the expediency of changing a part of the Mount Carmel and Alton railroad, was read.

Mr. Churchil moved to amend the resolution, by adding the following, viz :

"And that said committee on Internal Improvements also inquire whether it will not be better policy to construct roads leading to commercial towns within the borders of this State, than to expend the public funds on works tending to the aggrandizement of commercial emporiums of other States, and the injury of those of our own State;"

Which was agreed to, and the resolution as amended adopted.

The resolution offered by Mr. Monroe, in relation to railroads hereafter to be put under contract, was read and adopted.

A message from the Governor, by Mr. Field, Secretary of State :

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

The engrossed bill, entitled a bill for "An act regulating tavern and grocery license," was read a third time;

And on the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Fletcher, Herndon, Hunter, Little, Mills, Moore, Thomas, Turney, and Witt—14.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Davidson, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Johnston, Mitchell, Monroe, Murray, Nunnally, Parrish, Peck, Richardson, Ross, Servant, Stadden, Warren, Weatherford, and Wood—24.

Whereupon,

Mr. Gatewood moved that the vote just taken be reconsidered; which was agreed to; and,

On motion of Mr. Davidson,

Referred to a select committee of five.

Ordered, That Messrs. Davidson, Gatewood, Herndon, Wood, and Witt, be that committee.

The engrossed bill, entitled a bill for "An act of incorporation for the Upper Alton Manufacturing Company," was read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved the following acts, viz :

"An act to change part of a certain State road in Morgan county;" and

"An act to amend an act, entitled 'An act prescribing the mode of proceeding in chancery.'"

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The engrossed bill, entitled a bill for "An act to amend 'An act concerning sheriffs and coroners,' approved February 12, 1827," was read a third time;

And on the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Murray, Richardson, Servant, Thomas, and Witt—15.

Those who voted in the negative, are,

Messrs. Butler, Churchill, Davidson, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Monroe, Nunnally, Parrish, Peck, Ross, Stadden, Turney, Warren, Weatherford, and Wood—22.

The engrossed bill, entitled "An act to provide for the appointment of notaries public," was read a third time;

And on the question—"Shall the bill pass?"

It was decided in the negative.

The engrossed bill, entitled a bill for "An act regulating the salaries of the Judges of the Supreme Court," was read a third time, and,

On motion of Mr. Hacker,

Laid on the table.

The engrossed bill, entitled a bill for "An act establishing ferries on the sixteenth sections for the use of the inhabitants of the townships," was read a third time and passed.

Mr. Churchill moved to amend the title, by striking out the words "the sixteenth sections," and inserting "school lands," in lieu thereof; which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bills, entitled

"An act to amend an act, entitled 'An act regulating elections,' in force June 1, 1829;"

"An act to legalize the sub-division of block thirty, in the school section addition to the town of Chicago;"

"An act to vacate and relocate a part of the State road leading from White's ferry to the drowning fork of Crooked creek;"

"An act to change the name of the town of Savannah;"

"An act to incorporate the town of Kankakee;"

"An act appointing an additional notary public for the county of Hancock;"

"An act to build a bridge across Fox river, at Ottawa;"

"An act to legalize the survey of certain State roads;"

"An act to extend the corporate powers of the president and trustees of the town of Belleville;"

"An act to vacate the survey and plat of the sub-division of block forty-one, in the town of Monmouth;"

"An act to relocate a part of the Chicago road in the counties of Clark and Edgar;"

"An act to provide for the removal of the public offices to Springfield;"

"An act to relocate part of a State road in Franklin county;"

"An act laying out a State road in Alexander county;"

"An act to amend an act, entitled 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved Jan. 23, 1829;"

"An act to amend the several acts incorporating the town of Galena;"

"An act to incorporate the Chester Insurance Company;" and

"An act to incorporate the town of Quincy;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

A bill for "An act to incorporate the La Salle Prairie Company," was read a second time, and,

On motion of Mr. Browning,

Referred to the committee on the Judiciary.

A bill for "An act to improve the navigation of Spoon river," was read a second time, and,

On motion of Mr. Hackelton,

Referred to the committee on Internal Improvements.

A bill for "An act to regulate and limit the compensation of officers, engineers, and others in the service of the State," was read a second time, and,

On motion of Mr. Thomas,

Referred to the committee on Internal Improvements.

A bill for "An act dividing the State into judicial circuits," was read a second time, and,

On motion of Mr. Peck,

Referred to a select committee of ten.

Ordered, That Messrs. Peck, Mills, Gibbs, Ross, Harrison, Browning, Herndon, Churchill, Servant, and Fithian, be that committee.

The bills, entitled

"An act to locate a State road from the northern boundary of Warren county to Illinois city, in Rock Island county;"

"An act to relocate the State road at or near Prophet's town;"

"An act disposing of the public property in Vandalia;"

"An act to relocate a part of the State road from Calhoun county to Schuyler county;"

"An act to establish a State road from Beardstown to Manchester;"

"An act to authorize the commissioners of the county of Winnebago to sell certain lots;"

"An act to locate a State road from Pope creek, via Edwards river, to Stephenson;" and

"An act to regulate the fees of notaries public in certain cases;"

Were severally read a second time, and

Ordered to be engrossed and read a third time.

A bill from the House of Representatives, entitled "An act to prevent trespassing by cutting timber," was read a third time.

Mr. Browning moved to add the following, as a ryder to the bill, viz:

"*Provided*, That the Court may, upon being satisfied that the defendant is unable to pay the fine and costs, discharge the defendaut from imprisonment."

Mr. Hackelton moved to lay the bill, together with the proposed ryder, on the table until the fourth day of July next; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Butler, Fithian, Gaston, Gibbs, Greer, Hacker, Hackelton, Hunter, Johnston, Mills, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Warren, Weatherford, and Wood—22.

Those who voted in the negative, are,

Messrs. Browning, Churchill, Davidson, Fletcher, Hamlin, Harrison, Herndon, Little, Moore, Murray, Ross, Servant, Thomas, Turney, and Witt—15.

The bill from the House of Representatives, entitled "An act to incorporate the McKendree College," was read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A bill from the House of Representatives, entitled "An act for the relief of the securities of Thomas Moore," was read a third time.

Whereupon, Mr. Thomas moved to amend, by adding the following as a proviso, viz:

"*Provided*, That said securities shall pay all costs accruing in proceeding upon the recognizances;" which was agreed to.

And on the question—"Shall the bill as amended pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hackelton, Hamlin, Harrison, Hunter, Johnston, Mills, Moore, Nunnally, Peck, Richardson, Ross, Servant, Stadden, Turney, Warren, Weatherford, Witt, and Wood—27.

Those who voted in the negative, are,

Messrs. Browning, Butler, Hacker, Little, Mitchell, Monroe, Murray, and Parrish—8.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Hackelton, from the committee on Enrolled Bills, reported that on this day they laid before the Council of Revision bills of the following titles:

"An act to create and organize the county of Scott;"

"An act for the relief of Robert Davis and others;" and

"An act to incorporate the town of Danville."

On motion,

The Senate adjourned.

SATURDAY, JANUARY 26 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk :

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred in the amendments of the Senate to the bill from the House, entitled "An act relative to the town of Naples."

They also concur in the amendment of the Senate to the title of said bill.

They likewise concur in the adoption of the resolution from the Senate instructing our Senators, &c. in Congress, to use their exertions to procure an amendment to the Constitution of the United States, in relation to the election of President of the United States, as amended by them :

They amend by striking out "forty-one," and insert "forty-five."

In which amendment they ask the concurrence of the Senate. And he withdrew.

Mr. Mills presented the petition of James Hean and other citizens of the county of Edwards, relative to the 16th section in township two south, range fourteen west, in said county.

On motion of Mr. Mills,

The reading of the same was dispensed with, and referred to the committee on School Lands and Education.

Mr. Mills presented the petition of Ann Lynch and others, citizens of the counties of Edwards, Clay, and Lawrence, praying a divorce; which was read.

Mr. Mills moved to refer the same to the committee on Internal Improvements; which was not agreed to, and,

On motion of Mr. Stadden,

Referred to the committee on Internal Navigation.

Mr. Harrison presented the petition of sundry citizens of Boone county, praying additions to said county; which was read, and,

On motion of Mr. Harrison,

Referred to the committee on Petitions.

Mr. Peck presented the petition of the county commissioners of Cook county, praying for authority to effect a loan, and for other purposes.

On motion of Mr. Peck,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Johnston presented the petition of sundry citizens of Jefferson county, in relation to the Academy at Mount Vernon.

On motion of Mr. Johnston,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Johnston, Gatewood, and Wood, be that committee.

Mr. Johnston presented a communication from the president and trus-

tees of the town of Mount Vernon, in relation to the survey of said town; which was read, and,

On motion of Mr. Johnston,

Referred to a select committee.

Ordered, That Messrs. Johnston, Gatewood, and Wood, be that committee.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled a bill for "An act for the relief of the infant heirs of Robert Coleman, deceased," reported the same back without amendment, and recommended the rejection of said bill.

Mr. Witt moved to lay the bill on the table until the fourth day of July next; which was decided in the affirmative.

The committee also made the following report, viz:

The committee on the Judiciary, to which was referred the bill for "An act for the relief of the infant heirs of Robert Coleman, deceased," together with the petition of John Coleman, administrator of the estate of said Robert, have had said bill and petition under consideration, and submit the following report thereon:

The petition states, in substance, "that in September, 1833, Robert Coleman departed this life intestate, seized of considerable real estate, consisting of lands and town lots; that, previous to his death, he sold some town lots and lands, but failed to execute deeds of conveyance; in several instances of these sales, no deed or other writing was made or executed evidencing the fact and terms of sale; that he was also seized of considerable real estate situated in and adjoining the village of Columbia; that it is desirable to sell this estate from time to time, as bidders may be found, and as the village continues to improve, to obtain means to educate the infant children of the intestate, and to add to the value of the remaining estate; that the intestate also left a water, saw, and grist-mill, in an unfinished state, and that means to finish the mills cannot be obtained without detriment to the heirs; that the same cannot be rented to advantage without the expenditure of a considerable sum of money." Upon this state of facts, this General Assembly is asked to pass a special act, authorizing the execution of deeds as well for estate sold by parol as that sold by contracts reduced to writing; and also for authority to sell parts of the real estate which has descended to infant heirs. The questions presented involve the following inquiries:

1. Can the Legislature authorize the sale of land, without the consent or some default of the owner?

2. Can the Legislature authorize the conveyance of land, the legal title being in heirs, so as to divest that title, without giving the heirs an opportunity of showing cause against the conveyance?

3. Is it proper or expedient for the Legislature to act upon such applications; and, if so, how long should the session be continued for the purpose of hearing and disposing of such as may be made?

4. If the power exists to grant the relief asked for, shall it be exercised upon *ex parte* statements not under oath; or is it not more advisable and safer to institute rigid inquiries into the truth of all petitions of the kind, and into all the reasons and policy of granting them?

Upon the first question there can hardly be a diversity of opinion. Al

though the Legislature may provide for the sale of property for payment of debts, and the power to sell or confiscate, because of defaults on the part of owners to comply with or abide by the laws of the land, or of judgments and decrees rendered in conformity with those laws, may be admitted to exist, yet it will hardly be contended by any that there is any where a power in this government to take and sell and appropriate the property of any citizen who has been guilty of no violation of the law, or omission to comply with its requisitions. Such a power is not necessary to the existence or maintenance of the government, and cannot be claimed upon the plea of necessity. The exercise of such a power is neither convenient nor necessary to advance the public good; and its exertion is liable, among others, to the following objections:

1. It would be destructive of all uniformity of action upon questions affecting property.

2. It would open a wide door to frauds and impositions, as well upon the State as individuals.

3. It would convert the legislative into a judicial department.

4. It would tend directly to a concentration of all the powers of government into one department.

5. The rules of decision and of evidence would be liable to change every two years.

6. The enjoyment of life and property would be made to depend upon accident, and thereby rendered insecure.

7. The expenses of legislation generally amount to more than the value of property to be affected.

The question of power does not necessarily involve an inquiry into questions of convenience or policy, yet arguments drawn from inconvenience may properly be used to prove that such power was never intended to be conferred. If the Legislature was informed that the wards of a certain guardian had been guilty of a crime for which they ought to be punished by confinement in the penitentiary, and that because it will exhaust all their estate to pay the costs of trial, and in order to save the estate, the guardian should be permitted to confine the wards without trial—would such a request be granted? The difference between the case put and the case under consideration is not perceived. In one case it is proposed to authorize a sale of property and divest rights, and in the other the proposition is to affect liberty and divest rights. The application is said to be for the relief of infants, and the Legislature is appealed to in their behalf to save their estate. Can the Legislature require that to be done which is asked? Can this department, by decree or judgment, divest the heirs of their title? It is the opinion of the committee that it cannot:

1. Because the thing to be done is a judicial act.

2. Because the Legislature is expressly prohibited from exercising judicial powers.

3. Because no man can be deprived of his liberty or property without having an opportunity of defence. The principle which would authorize the Legislature to order the sale of property would authorize an order to imprison the person; and this is contrary to all theories in relation to the powers conferred upon legislative bodies in governments whose powers are limited by written constitutions. If it be said that action upon

applications of this kind is for the benefit of the infants, and that therefore they are concluded by the act, the answer is, that what is or is not for the benefit of infants, depends upon evidence and opinion. The truth of the assumption cannot be inquired into by a legislative body, and the defect of power to inquire into and decide upon the correctness of their assumptions, is the ground upon which applications of the kind ought to be rejected.

Again, it may be assumed that a person indicted for murder would be benefitted by a legislative act requiring him to be confined in the penitentiary without a trial, upon the presumption that, if tried, he will be condemned to be hung. Would this justify the action of the Legislature in his behalf? Would it deprive him of the right of trial? Would he be bound by the act of the Legislature? That provision of the constitution which declares "that no freeman shall be imprisoned or disseized of his freehold, liberties, or privileges, or outlawed or exiled, or in any manner deprived of his life, liberty or property, but by the judgment of his peers or the law of the land," is believed to be applicable to the case under consideration, and to exclude, by express terms, the right of the Legislature to act upon the subject. The intent of action is to deprive the infants of their property, without any investigation into the truth of the allegation that such deprivation is for their benefit, or is calculated to advance their interest, or is necessary to the ends of justice. It may be true that the State, by virtue of its sovereignty and its powers of self-preservation and existence, may have the right to provide for the sale or confiscation of property for purposes of revenue or defence, without the aid of judicial powers, yet the existence of this power does not prove the existence of the power to order a sale of the property of A. upon the petition of B. his guardian, and the application of the proceeds of sales to what is deemed by B. to be most beneficial to the interest of the ward. A sovereign State may provide for the confiscation of the property of an enemy, as a measure of defence and self-preservation, and may acquire a right to the property confiscated, without a judicial investigation, by making the doing or omitting to do certain acts amount to a confession of the truth of the facts necessary to be established in order to the acquisition of the property or thing confiscated; but this principle does not touch the question now under consideration, because the infants in this case have neither done nor omitted to do any act by which the State has become entitled to their property, or in consequence of which they are liable to punishment in their persons or their property.

The first and second inquiries being disposed of, it remains to consider the third and fourth, which relate to the policy and expediency of acting upon the application. It is deemed inexpedient to act upon such petitions, upon the following grounds:

1. Because only one side of the application can be heard, and though the act of the Legislature may hereafter be adjudged invalid, yet proceedings under it give purchasers color of title, and produce the necessity of prosecuting suits by those having rights.

2. Property thus purchased may be abused and reduced in value by cutting timber, by pulling down houses, and by improper cultivation.

3. Persons may purchase and improve in good faith, and after many years' occupancy and large expenditures of money, may be compelled to

surrender the earnings of youth and manhood, and be cast upon the world, in old age, penniless.

4. Legislation upon cases costs the whole people as much as legislation upon principles; and action upon any case involving the same principle, would require sessions to be extended to almost an indefinite period. For the foregoing reasons, the committee recommend the rejection of the bill.

Mr. Witt moved that one thousand copies of said report be printed for the use of the Senate; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Churchill, Davidson, Gibbs, Harrison, Mills, Moore, Parrish, Peck, Richardson, Ross, Servant, Stadden, Thomas, Turney, Witt, and Wood—18.

Those who voted in the negative, are,

Messrs. Borough, Butler, Fithian, Fletcher, Gatewood, Greer, Hacker, Hamlin, Herndon, Hunter, Johnston, Little, Mitchell, Monroe, Murray, and Weatherford—16.

Mr. Witt, from the select committee to which was referred a bill for "An act to amend an act, entitled 'An act to amend an act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties,'" reported the same back with sundry amendments thereto; which were read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Stadden, from the select committee to which was referred "An act to limit the jurisdiction of justices of the peace and constables," reported the same back with an amendment thereto.

Mr. Thomas moved to amend the amendment, by adding: "This act to take effect after the first day of June next;" which was agreed to.

Mr. Hacker moved to lay the bill and proposed amendments on the table until the 4th day of July next; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Butler, Davidson, Fithian, Fletcher, Gatewood, Greer, Hacker, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Moore, Murray, Richardson, Ross, Servant, Thomas, Weatherford, Witt, and Wood—24.

Those who voted in the negative, are,

Messrs. Blackwell, Churchill, Gibbs, Hackelton, Hunter, Johnston, Monroe, Nunnally, Parrish, Stadden, Turney, and Warren—12.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, a bill for "An act to incorporate the McKendree College."

Mr. Gatewood, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to amend an act to incorporate the Caledonia Railroad Company," reported the same back with an amendment; which was read and concurred in.

And on the question—"Shall the bill, as amended, be read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Churchill, Davidson, Fithian, Fletcher

Gatewood, Gibbs, Greer, Hacker, Hamlin, Harrison, Herndon, Hunter, Johnston, Mills, Mitchell, Moore, Monroe, Murray, Peck, Richardson, Ross, Servant, Stadden, and Thomas—26.

Those who voted in the negative, are,

Messrs. Allen, Little, Nunnally, Weatherford, Witt, and Wood—6.

Mr. Gatewood, from the committee on Education, to which was referred a bill from the House of Representatives, entitled "A bill for the relief of the inhabitants of township number two south, range eight east, in Wayne county," reported the same back without amendment, and recommend the passage of said bill.

Ordered to a third reading.

On motion of Mr. Hacker,

The bill from the House of Representatives, entitled "An act to amend an act to incorporate the Caledonia Railroad Company," was taken up, read a third time as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

On motion,

The Senate adjourned.

MONDAY, JANUARY 28, 1839.

Senate met pursuant to adjournment.

Mr. Hackelton, from the committee on Enrolled Bills, reported that, on Saturday, they laid before the Council of Revision "An act to incorporate McKendree College."

Mr. Ross presented the petition of sundry citizens of Pike county, praying for the passage of a law authorizing the New Canton and Piketon Railroad Company to construct a turnpike in lieu of a railroad.

On motion of Mr. Ross,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Ross, Richardson, and Browning, be that committee.

Mr. Hamlin presented the petition of the inhabitants of township seven north, range seven east, for the right to sell certain school lands.

On motion of Mr. Hamlin,

The reading of the same was dispensed with, and referred to the committee on School Lands and Education.

Mr. Weatherford presented the petition of sundry citizens of Morgan county, to change a part of a certain State road therein named.

On motion of Mr. Weatherford,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Weatherford, Thomas, and Witt, be that committee.

Mr. Turney presented the petition of sundry citizens of Will county, praying for a review of a certain State road.

On motion of Mr. Turney,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Harrison presented the petition, number two, of sundry citizens of Boone county, praying an addition to said county.

On motion of Mr. Harrison,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Stadden presented the petition of sundry citizens of La Salle county, asking the sale of certain canal lands.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Canals and Canal Lands.

Mr. Stadden presented the petition of sundry citizens of the town of La Salle, asking for a lot upon which to build a charity hospital.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Canals and Canal Lands.

Mr. Stadden presented the petition of sundry citizens of La Salle county, asking for the donation of a lot upon which to build a church.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Canals and Canal Lands.

Mr. Stadden presented the petition of sundry citizens on Fox river, praying an appropriation for the improvement of said river.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Internal Navigation.

A message from the Governor, by Mr. Field, Secretary of State :

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Mitchell presented the petition of sundry citizens of Tazewell county, in relation to the ferry across the Illinois river, at Pekin, in said county.

On motion of Mr. Mitchell,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Mitchell, Hamlin, and Butler, be that committee.

Mr. Mitchell presented the petition of the inhabitants of Pekin, in the county of Tazewell, in relation to a State road therein named.

On motion of Mr. Mitchell,

The reading of the same was dispensed with, and referred to the committee on Public Roads.

Mr. Hamlin presented the petition of sundry citizens of township seven north, range seven east, for the establishment of an additional justice's district.

On motion of Mr. Hamlin,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Hamlin, Butler, and Little, be that committee.

Mr. Gatewood presented the petition of the president and trustees of the town of Shawneetown; which was read, and referred to the committee on the Judiciary.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the La Salle Prairie Company," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Browning, from the committee on the Judiciary, to which was referred the petition of Isaac Dimick, praying the passage of a law to vacate a part of the plat of the town of Vermilionville, reported the same back to the Senate, and asked to be discharged from the further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Browning,

The said petition was laid on the table.

Mr. Little, from the committee on the Judiciary, to which was referred a resolution relative to giving to justices of the peace power to imprison in cases of contempt of court, reported the same back to the Senate, and asked to be discharged from a further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Little,

Said resolution was laid on the table.

Mr. Peck, from the select committee to which was referred the petition of W. M. Larrabee, praying the passage of a law to authorize the Canal Commissioners to pay over certain funds to the estate of the late James Spencer, reported a bill for "An act authorizing the payment of a sum of money to William M. Larrabee by the Canal Commissioners;" which was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on Canals and Canal Lands.

Mr. Hamlin, from the select committee to which was referred the petition of sundry citizens of Peoria county, for a change in a certain State road, reported a bill for "An act to authorize the county commissioners of Peoria county to change a certain State road;" which was read, and

Ordered to a second reading.

Mr. Johnston, from the select committee to which was referred the petition of sundry citizens of Jefferson county, in relation to the Mount Vernon Academy, reported a bill, entitled a bill for "An act to incorporate the Mount Vernon Academy;" which was read, and

Ordered to a second reading.

On motion of Mr. Johnston,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

On motion of Mr. Wood,

The rule of the Senate was further dispensed with, and the bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

On motion of Mr. Thomas,

The bills, entitled

A bill for "An act to amend the several laws in relation to the Illinois and Michigan canal;"

A bill for "An act to provide for a loan for canal purposes;" and

A bill for "An act to provide for selling water-lots and privileges on the Illinois and Michigan canal;"

Were taken up and placed among the orders of the day.

Mr. Herndon, on leave given, introduced a bill, entitled "An act in relation to the Governor of this State;" which was read, and

Ordered to a second reading.

Mr. Harrison, on leave given, introduced a bill for "An act to amend an act, entitled 'An act to incorporate the Jo Daviess Marine and Fire Insurance Company;' which was read, and

Ordered to a second reading.

Mr. Hamlin, on leave given, introduced a bill for "An act to authorize the county commissioners of Peoria and other counties to lease certain offices;" which was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill read the second time by its title.

On motion of Mr. Witt,

Referred to a select committee.

Ordered, That Messrs. Witt, Hamlin, and Blackwell, be that committee.

On motion of Mr. Thomas,

A bill for "An act regulating the salaries of the Judges of the Supreme Court," was taken up;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hamlin, Harrison, Herndon, Little, Mills, O'Rear, Peck, Ross, Servant, Stadden, Thomas, and Turney—21.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Hacker, Hackelton, Hunter, Johnston, Mitchell, Moore, Monroe, Murray, Nunnally, Parrish, Richardson, Weatherford, Witt, and Wood—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Stadden, on leave given, introduced a bill, entitled "An act to incorporate Kane College;" which was read, and

Ordered to a second reading.

Mr. Stadden, on leave given, introduced a bill for "An act to amend an act, entitled 'An act to locate a State road from the Indiana line, northwest, in a direction to Mineral Point;'" which was read, and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following preamble and resolutions, viz:

Whereas, by the act of Congress regulating the deposite of public money in State Banks, approved June 28, 1836, it was provided that at least one Bank should be selected in each State or Territory, if any such existed willing to be employed as a depository of the public money: and whereas there are two Banks in the State of Illinois, both of them solvent and safe, neither of which are now employed as the depository of the public money collected in this State: and whereas the money so collected in Illinois is deposited in the State Bank of Missouri, to the manifest injury of our Banks and the people of the State: and whereas the Secretary of the Treasury, under the provisions of the act of 1789, has selected many Banks which would have been excluded from the benefit of the deposite act of 1836, as depositories of the public money; which said Banks, in common with our own, could not have been selected as depositories of the public money under the provisions of the act of 1836:

1. *Be it resolved by the General Assembly of the State of Illinois*, That our Senators be instructed, and our Representatives requested, to use every effort necessary to obtain the deposite of the money of the General Government, collected in this State, in the Banks of this State, so long as the State Bank deposite system shall be continued: *Provided*, That we do not intend to express, by this resolution, any opinion of this Legislature, either in relation to the Sub-treasury system or to the chartering of a National Bank, or of the State Bank deposite system.

2. *Resolved*, That if any change by law be made in the plan of depositing the revenue in Banks, that our Senators be instructed, and our Representatives requested, to provide by law for the deposite of all the revenue collected in this State in the Banks of this State so long as Banks may be used as the fiscal agents of the Government.

3. *Resolved*, That we deprecate any policy which gives to Banks, similarly situated with our own, the deposite of the public revenue, whilst the same benefit resulting from the deposite system is not extended to our own Banks.

4. *Resolved*, That the Governor be requested to transmit a copy of the foregoing preamble and resolutions to each of our Senators and Representatives in Congress.

In the adoption of which preamble and resolutions they ask the concurrence of the Senate. And then he withdrew.

Mr. Davidson moved to take up the resolutions from the House of

Representatives in relation to the Sub-treasury system, some days since laid on the table; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hacker, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Servant, and Thomas—21.

Those who voted in the negative, are,

Messrs. Butler, Gibbs, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Ross, Stadden, Turney, Weatherford, Witt, and Wood—17.

Mr. Witt moved that the Senate adjourn; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Hacker, Herndon, Hunter, Peck, Richardson, Turney, and Witt—7.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hackelton, Hamlin, Harrison, Johnston, Little, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Ross, Servant, Stadden, Thomas, Weatherford, and Wood—31.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Hacker moved to reconsider the vote given this morning on taking up the resolution from the House of Representatives in relation to the Sub-treasury system; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Ross, Stadden, Turney, Weatherford, Witt, and Wood—17.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Servant, and Thomas—21.

Mr. Stadden moved a call of the Senate; which was agreed to.

Mr. Davidson moved that the further call of the Senate be dispensed with; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—23.

Those who voted in the negative, are,

Messrs. Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell,

Nunnally, Parrish, Peck, Stadden, Turney, Weatherford, Witt, and Wood—14.

The question then recurring on the adoption of the resolutions,

Mr. Gatewood moved to amend the same, by adding, after the second resolution, the following, viz:

Resolved, That it is inexpedient that the Congress of the United States charter a National Bank on any terms.

Resolved, That our Senators and Representatives in Congress be requested to use their influence to oppose any line of policy that may tend to the establishment of a National Bank.

Resolved, That the recent policy of the States in the establishment of State Banks, and connecting them with the various systems of Internal Improvement in the States, requires at the hands of this State an uncompromising hostility to a United States Bank.

Whereupon, Mr. Little moved the previous question.

On the question—"Shall the main question be now put?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—21.

Those who voted in the negative, are,

Messrs. Gatewood, Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—17.

Mr. Thomas called for a division of the question.

And the question being taken—"Will the Senate concur with the House of Representatives in the adoption of the two first resolutions?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—22.

Those who voted in the negative, are,

Messrs. Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—16.

On the question—"Will the Senate concur with the House of Representatives in the adoption of the third resolution?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Gibbs, Hacker, Hackelton, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—15.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Herndon, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—25.

Mr. Herndon moved to dispense with the rule of the Senate, for the purpose of presenting a resolution; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Borough, Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, and Witt—16.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Witt—21.

A message from the House of Representatives, by Mr. Johnston, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a preamble and resolution relative to the lease of certain land to be made by the Board of Commissioners of Public Works to Henry Singleton.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and the message from the House of Representatives just received, was taken up, and read.

On motion of Mr. Gatewood,

Laid on the table.

On motion,

The Senate adjourned.

TUESDAY, JANUARY 29, 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill, entitled "An act to increase the corporate powers of the town of Chester," as amended by them.

In which amendments they ask the concurrence of the Senate. And he withdrew.

Mr. Ross presented the petition and affidavit of Lucinda Wells, praying for a divorce from her husband, Emberson G. Wells; which was read, and

Mr. Ross moved to refer said petition to a select committee; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Fletcher, Gibbs, Hacker, Hackelton, Hunter, Johnston, Monroe, Nunnally, Parrish, Ross, Turney, Witt, and Wood—14.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Davidson, Fithian, Gatewood, Hamlin, Herndon, Little, Mills, Mitchell, Moore, Murray, O'Rear, Peck, Richardson, Servant, Stadden, Thomas, and Weatherford—22.

Mr. Ross moved to refer the same to the committee on Petitions; which was not agreed to.

Mr. Gatewood moved to lay the same on the table until the fourth day of July next.

Mr. Turney moved to refer the said petition to the committee on the Judiciary; which was not agreed to.

Whereupon,

On motion of Mr. Davidson,

Said petition was laid on the table.

A message from the Governor, by Mr. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Thomas presented the petition of 500 citizens of Morgan county, in relation to granting licenses to retail spirituous liquors; which was read, and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

Mr. Butler presented the petition of E. and S. S. Phelps, praying the exclusive right of keeping a ferry at the town of Oquaka, on the Mississippi river.

On motion of Mr. Butler,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Hacker, from committee on Internal Improvements, to which were referred sundry resolutions of the Senate, reported a bill for "An act further to amend an act, entitled 'An act to maintain a general system of Internal Improvement;'" which was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and recommitted to the committee on Internal Improvements.

Mr. Mills, from the committee on Education, to which was referred the petition of James Hean and others, of Edwards county, in relation to the sixteenth section, in township two south, range fourteen west, in said county, reported a bill for "An act respecting section sixteen, in township two south, in range fourteen west, in Edwards county;" which was read, and

Ordered to a second reading.

Mr. Witt, from the select committee to which was referred a bill for "An act to authorize the county commissioners of Peoria and other counties to lease certain offices," reported the same back with an amendment; which was read and concurred in, and said bill, as amended, was

Ordered to be engrossed and read a third time.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Little, from the committee on the Judiciary, to which were referred the preamble and resolutions in relation to the title of the Oregon territory, reported the same back without amendment, and recommended the adoption of the same.

And on the question—"Will the Senate adopt the said preamble and resolution?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Weatherford, from the select committee to which was referred the petition of sundry citizens of Morgan county, in relation to a certain State road therein named, reported a bill for "An act to change part of the Phillip's ferry road, in Morgan county;" which was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Ross, from the select committee to which was referred the petition of sundry citizens of Pike county, in relation to the New Canton and Piketon railroad, reported a bill for "An act to amend the act incorporating the New Canton and Piketon Railroad Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Wood, from the committee on Petitions, to which was referred the petition of the county commissioners of Cook county, praying authority to effect a loan, &c., reported the same back, and asked to be discharged from a further consideration of the subject.

And on the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Witt,

Said petition was laid on the table.

Mr. Thomas moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved by the General Assembly, That the engrossing Clerks of the Senate and House of Representatives, respectively, be required to make a sufficient number of copies of all memorials and resolutions adopted by this General Assembly, to enable the Governor to transmit one copy to each Senator and Representative in this State; and when such copies are made they shall be certified by the Clerk of the House and Secretary of the Senate, and by them delivered to the Governor, who is hereby

requested to transmit the said copies to the Senators and Representatives aforesaid.

Mr. Gatewood, on leave given, introduced a bill for "An act to incorporate the Shawneetown Academy, in Gallatin county;" which was read, and

Ordered to a second reading.

Mr. Murray, on leave given, introduced a bill for "An act to incorporate the German Library Society of St. Clair county;" which was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Witt moved that the Senate now resolve itself into a committee of the Whole, on a bill, entitled a bill for "An act for the distribution of the school and seminary fund amongst the several counties in this State, and to provide for the application of the interest to common school purposes;" which was not agreed to.

On motion of Mr. Servant,

The bill, entitled a bill for "An act to increase the corporate powers of the town of Chester," was taken up;

And on the question—"Will the Senate concur with the House of Representatives in their amendments to said bill?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Churchill,

The message from the House of Representatives, containing their amendment to a resolution from the Senate in relation to amending the Constitution of the United States, was taken up, read, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Speaker laid before the Senate the following communication from the Commissioners of the Illinois and Michigan canal, viz:

LOCKPORT, December, 1838.

To the GENERAL ASSEMBLY

of the State of Illinois:

The undersigned, Commissioners of the Illinois and Michigan canal, represent to the General Assembly, that upon the organization of the first Board, the canal office was established at Chicago. A year's experience proved that the State interest and convenience of contractors required a change of location. The State had a valuable town site at the lower end of the Summit Division, which had been laid out under the name of Lockport. To establish the canal office at that point would, in the opinion of the Board, facilitate business, produce economy to the contractors and to the State, and much enhance the value of canal property. The measure was accordingly adopted, and has evidently been productive of the good effects anticipated. At that time, Lockport was wholly unimproved, and the business of the canal was so constant that it was indispensably necessary that the Commissioners should reside near the office.

They could not rent houses, and they were forbidden by law to buy. After mature deliberation, and governed exclusively by considerations promotive of public good, they caused two houses to be erected, at the cost of about \$2,900 each, on canal property, for the use of the Commissioners.

They now respectfully ask the General Assembly to allow them to purchase the said property at its worth; or, if the Legislature deem it more advisable not to sell to Commissioners, that it be made the duty of some agent, unconnected with the Board, to fix an annual rent, which the Commissioners shall pay for the occupancy of said houses.

Very respectfully, &c.

W. F. THORNTON,
JACOB FRY.

Mr. Speaker laid before the Senate the following communications from the President of the Commissioners of the Board of Public Works, viz:

INTERNAL IMPROVEMENT OFFICE,
Vandalia, January 28, 1839.

To the Hon. the SENATE
of the State of Illinois:

The Board of Public Works, in answer to the resolution of the Senate of the State of Illinois, calling for information in relation to the Bloomington, Mackinaw, Peoria and Pekin railroad, beg leave to report:

That the course heretofore adopted by the Board has been to distribute the expenditure of money and divide the work to be done as economically as possible, between the different roads, and in the different parts of the State, so as not to give any one work or any separate portion of the State an advantage over another.

In making this distribution it was found that nine miles would be all that in justice could be awarded to the road in question. In distributing those works the Board has also sought to locate them so as to be most useful to the inhabitants, and where they would soonest yield a profit. It is also a provision of law, that the construction of those works shall commence at the navigable streams; consequently this work was to commence upon the Illinois river, either at Pekin or opposite Peoria. If the work should commence at Pekin, the contracts could reach Tremont, a considerable trading town and the county seat of Tazewell county, and there form a communication between two places of some business; but if it commenced opposite Peoria, and extended nine miles in the direction of the town of Mackinaw, the work would terminate at some point in the prairie, where it would be neither useful nor profitable unless extended further.

Under those circumstances it was thought advisable to adopt that portion of the work between Pekin and Tremont. There is another circumstance which operated in some degree upon the minds of the Commissioners in relation to this portion of the work. It is known to your body that the diverging point for the two branches of this road, in its progress from Bloomington to the Illinois river, is at Mackinaw town.

This town is situated upon a considerable elevation upon the east side of the Mackinaw river; consequently to diverge at that town, would be to construct two costly viaducts over this stream, when one could be

made to answer all purposes for both branches. Again, it was found almost impracticable to cross this river immediately at the town. This is principally owing to the great elevation, the depth of the valley of the river immediately opposite, and the broken and undulating surface of the country immediately upon the west side of said stream; consequently a route has been adopted for the Pekin branch, some miles down the river from Mackinaw town—and one much more favorable than any other point yet discovered. Under all these embarrassing circumstances, and as no useful effect could be attained by commencing said road before the meeting of the General Assembly, the survey has only been made with a view that those defects might be remedied, if it should be deemed advisable. This accounts for the reason why no part of said branch has, as yet, been put under contract.

While upon the subject of this branch, it may not be improper to mention that much difficulty has been encountered in finding a suitable route, and great cost will be necessary to raise the Illinois bluff opposite to Peoria; and after the same arrives at the summit, its course lies diagonally across the farms and lands of the inhabitants of the country. All those defects could be in a great degree remedied, the road rendered equally useful as a branch to Peoria, and much money saved to the State, if the point of intersection was left open, and the branch directed to be located upon the cheapest and best route for the interest of the State.

As to the inquiry whether any part of the ten miles ordered to be put under contract upon that road is intended for that branch, the Board would report that a portion of said work is intended for that branch; but as it was not certain whether any changes would be made by law in the location of this road, the particular location of said work upon said branch has not been as yet designated; but it is the intention of the Board to go on with said branch, and give to it a fair proportion of the appropriation as the works progress, whether any changes shall be effected or not.

All of which is respectfully submitted.

Signed by order of the Board.

WILLIAM KINNEY,

President of the Board.

Which was read, and,

On motion of Mr. Wood,

Referred to the committee on Internal Improvements.

INTERNAL IMPROVEMENT OFFICE,

Vandalia, January 28, 1839.

To the Hon. the SENATE

of the State of Illinois.

The Board of Public Works, in answer to a resolution addressed to the Commissioner of the second judicial circuit, asking for information in relation to the abutments for the viaduct across the Kaskaskia river, for the Central railroad near Vandalia, beg leave to report:

That it is impossible to give an exact description of structures that as yet are not made; and in relation to these or any other abutments, much depends upon the foundation that may be found when a final examination is made; consequently the depth and width of the foundation, the batter of the walls, the length, height, and depth of the wings, and many other por-

tions of said work must necessarily be uncertain until all those facts are ascertained. As that is not, as yet, done in relation to those abutments, an accurate description of the intended work cannot now be given. As to the inquiry, whether it is to be constructed of brick, the Board would report that it is the intention to make said abutments out of the best materials, at the same time studying economy and durability. With this view, a stone foundation for said piers, raised a sufficient height to be safe and durable, with the upper part of brick, has been adopted; and the Board know of no good reason why brick should not be used, if the same can be done to the advantage of the State.

This material for those piers has been recommended by the engineer upon the work, as will be seen by reference to his report, found at page one hundred and thirty-eight of the report of the Board; and it is believed that in many instances brick may be obtained that will be cheaper, and in some instances much more durable than the rock, if in the immediate vicinity. Rock cannot be obtained within twelve or thirteen miles of this viaduct; consequently cannot be got upon the ground without great cost and expense, that, in the opinion of the Board, the objects at present would not justify.

All of which is respectfully submitted.

Signed by order of the Board.

WILLIAM KINNEY,

President of the Board.

WILLIAM PRENTISS, *Secretary B. P. W.*

Which was read, and,

On motion of Mr. Blackwell,

Referred to the committee on Internal Improvements.

Mr. Speaker announced that the several communications heretofore received from the Governor were upon executive business.

Whereupon, the doors were closed;

And upon the opening of the doors,

The engrossed bill, entitled "An act to regulate the fees of notaries public in certain cases," was read a third time, and,

On the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Borough, Gaston, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—19.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, and Thomas—20.

The engrossed bill, entitled "An act to amend an act, entitled 'An act to amend the several acts in relation to common schools,'" was read a third time;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Borough, Browning, Butler, Davidson, Fithian, Gibbs, Hackelton, Hamlin, Harrison, Little, Mills, Mitchell, Moore, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—21.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Churchill, Fletcher, Gaston, Gatewood, Hacker, Herndon, Hunter, Johnston, Monroe, Murray, Nunnally, O'Rear, Ross, Servant, Thomas, and Warren—18.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bills, entitled

"An act to locate a State road from Pope creek. via Edwards river, to Stephenson ;"

"An act to authorize the county commissioners of the county of Winnebago to sell certain lots ;"

"An act to relocate the State road at or near Prophet's town ;" and

"An act to authorize the county commissioners' courts of the counties of Cook, Washington, and Clinton to effect loans ;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and a bill from the House of Representatives, entitled "An act to incorporate the Mississippi and Grand Tower Bridge Company," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Mr. Witt moved to refer the same to the committee on the Judiciary, which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Little, Moore, Nunnally, Servant, Weatherford, and Witt—14.

Those who voted in the negative, are,

Messrs. Allen, Davidson, Gibbs, Hacker, Hamlin, Harrison, Herndon, Hunter, Johnston, Mills, Mitchell, Monroe, Murray, O'Rear, Parrish, Peck, Ross, Stadden, Thomas, Turney, Warren, and Wood—22.

On motion of Mr. Hacker,

Said bill was laid on the table.

On motion,

The Senate adjourned.

WEDNESDAY, JANUARY 30, 1839.

Senate met pursuant to adjournment.

Mr. Fithian presented the petition of Martha Powell and F. Foley, praying a law to authorize them to sell certain lands belonging to minors.

On motion of Mr. Browning,

The reading of the same was dispensed with, and laid on the table.

Mr. Richardson presented the petition of sundry citizens of Schuyler county, in relation to a State road therein named.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Richardson, Thomas, and Weatherford, be that committee.

Mr. Borough, from the committee on Public Roads, to which was referred the petition of sundry citizens of Will county, praying a review of a certain State road, reported a bill, entitled a bill for "An act to amend an act, entitled 'An act to locate a State road from Thornton to Lockport, Plainfield, and Blackberry creek,' approved February 27, 1837;" which was read, and

Ordered to a second reading.

On motion of Mr. Stadden.

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the German Library Society of St. Clair county," reported the same back with an amendment; which was read and concurred in, and the bill, as amended,

Ordered to be engrossed and read a third time.

Mr. Gatewood, from the select committee to which was referred a bill, entitled a bill for "An act regulating tavern and grocery licenses," reported the same back with several amendments; which were read and concurred in.

Ordered, That said bill be re-engrossed as amended.

Mr. Witt moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, the House of Representatives concurring herein, That both branches of the General Assembly will meet in the Hall of the House of Representatives, on Saturday, the second day of February next, at two o'clock, P. M., to elect the Commissioners of the Illinois and Michigan canal, to wit: one President, one Treasurer, and one Acting Commissioner.

Mr. Wood moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the propriety and expediency of enlarging the appropriation to the Kaskaskia river to at least one hundred and fifty thousand dollars; and report by bill or otherwise.

Mr. Hackelton moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Internal Improvements be requested to inquire into the expediency of making it the express duty by law for the Commissioners of the Board of Public Works to prosecute promptly, and without delay, all such river improvements as are committed to their superintendence, at all times when the stage of water in such rivers will permit.

Mr. Monroe moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the standing hour of adjournment of the Senate be nine o'clock, A. M.

Mr. Monroe moved the adoption of the following resolutions, which lie on the table one day, viz:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of amending the laws authorizing towns to become incorporated, so as to prevent the further application to the Legislature for legislative action for particular towns.

Resolved, That it is inexpedient to consume the time of the Senate in legislating relative to the incorporation of towns.

Mr. Nunnally, on leave given, introduced a bill for "An act to limit justices of the peace and constables to their own districts in the county of Edgar;" which was read, and

Ordered to a second reading.

Mr. Butler, on leave given, introduced a bill for "An act supplementary to 'An act prescribing the mode of trying the right of property;" which was read, and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Johnston, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring therein, That the Clerks of the two Houses be instructed to cause all reports to either or both Houses to be bound in a separate volume, so as to save unnecessary printing and journalizing.

In the adoption of which they ask the concurrence of the Senate.

They have concurred with the Senate in their amendment to the bills from the House of Representatives, entitled

"An act to amend 'An act to incorporate the Caledonia Railroad Company;" and

"An act to incorporate the Invincible Dragoons of the second division of Illinois militia."

They have concurred with the Senate in the passage of a bill, entitled "An act to create the county of Brown out of the county of Schuyler."

They have adopted the following resolutions, viz:

Resolved, That a joint select committee of three on the part of the House, and two on the part of Senate, be appointed to inquire whether the State Bank of Illinois or their Branches have been formerly engaged, or are now engaged, in mercantile or commercial pursuits, contrary to

the provisions of their charter; that they be specially instructed to inquire whether said Banks, or either of them, have an agent or agents in or near Galena for the purpose of purchasing lead or other articles of merchandize, and other agents or commercial houses in our Atlantic cities, to whom said lead or merchandize is consigned; also, whether they have an agent or agents in Alton, or other parts of this State, for the purchase of salt, pork, or other articles of merchandize; or whether they have advanced money to individuals for the purpose of trading in any article of merchandize for the use and benefit of said Bank or Banks; and that the said committee report to this House the probable effect of thus bringing the influence of associated and concentrated wealth in competition with the individual enterprise of our citizens.

Resolved, That the said committee be further instructed to inquire what is the amount of stock held by non-residents in said Banks; what is the amount held by residents; what is the amount of loans made on pledges or hypothecations of stock, distinguishing between residents and non-residents; what is or has been the amount of liabilities of the directors, either as drawers, endorsers, or discounters, during the existence of said Banks.

Resolved, That said committee have power to send for persons and papers, and examine witnesses on oath or affirmation.

And have appointed Messrs Murphy of Cook, Maus, and Webb of White, the committee on their part.

In the adoption of which they ask the concurrence of the Senate.

They have also adopted a preamble and resolutions relative to a junction of railroads in Illinois with the Cincinnati and Charleston railroad, and the Iron Mountain railroad in Missouri.

In the adoption of which preamble and resolutions they ask the concurrence of the Senate. And he withdrew.

On motion of Mr. Hacker,

The bill from the House of Representatives, entitled "An act to incorporate the Mississippi and Grand Tower Bridge Company," laid upon the table on yesterday, was taken up;

Whereupon, Mr. Browning moved to amend the first section of the said bill, by inserting after the word "corporate," in the eleventh line, the words "for the term of twenty years."

Amend the bill further, by adding the following at the end of the first section:

"But the amount of real estate to be held and owned by said corporation shall never exceed one hundred and sixty acres, nor shall said corporation be permitted to carry on any commercial or manufacturing business, but shall confine their operations strictly to the erection and management of the bridge aforesaid.

Mr. Witt moved to amend the amendment in the first branch of the same, by striking out the word "twenty," and inserting "fifty" in lieu thereof.

Mr. Browning called for a division of the question;

And on the question being taken upon striking out,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Davidson, Gaston, Gatewood, Hacker, Hackelton, Hamlin, Harrison, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Parrish, Peck, Richardson, Ross, Stadden, Thomas, Turney, Warren, Witt, and Wood—27.

Those who voted in the negative, are,

Messrs. Browning, Butler, Churchill, Fithian, Fletcher, Gibbs, Greer, Nunnally, C'Rear, Servant, and Weatherford—11.

And the question recurring upon inserting the word "fifty,"

It was decided in the affirmative;

And the amendment, as amended, was then adopted.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and the bill read a third time, as amended, by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

The resolution offered by Mr. Thomas, having for its object the transmission of all memorials and resolutions passed by the General Assembly to our delegation in Congress, was read.

Whereupon, Mr. Thomas moved to amend, by inserting after the word "Assembly," "intended to be transmitted to the Congress of the United States."

Mr. Hacker moved to lay the resolution, together with the proposed amendment, on the table until the fourth day of July next; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Gaston, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—17.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—23.

The question then recurring on the adoption of the amendment proposed by Mr. Thomas,

It was decided in the affirmative.

Mr. Herndon moved to amend, by inserting after the word "resolutions," the word "hereafter;" which was not agreed to.

Mr. Hacker moved to amend, by adding the following, viz.:

Resolved, That it is inexpedient that the Congress of the United States charter a National Bank on any terms.

Resolved, That our Senators and Representatives in Congress be requested to use their influence to oppose any line of policy that may lead to the establishment of a National Bank.

Resolved, That the recent policy of the States in the establishment of State Banks, and connecting them with the various systems of Internal Improvement in the States, requires at the hands of this State an uncompromising hostility to a United States Bank.

Whereupon, Mr. Servant moved the previous question.

On the question being taken—"Shall the main question be now put?" It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—21.

Those who voted in the negative, are,

Messrs. Gaston, Gatewood, Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—19.

And upon the question—"Shall the resolution as amended be adopted?" It was decided in the affirmative.

On motion of Mr. Hacker,

The Senate adjourned until to-morrow morning, 10 o'clock, A. M.

THURSDAY, JANUARY 31, 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred in the amendment of the Senate to the resolutions from the House, in relation to the Sub-treasury system, and declaring it inexpedient to consume the time of the Legislature in acting upon questions which merely involve national politics. And he withdrew.

Mr. Borough, from the committee on Public Roads, to which was referred a resolution having for its object the exemption of ministers of the Gospel from working on roads, reported the same back, and asked to be discharged from a further consideration of said resolution.

On the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

On motion of Mr. Servant,

Said resolution was laid on the table.

Mr. Blackwell, on leave given, introduced a bill for "An act to authorize John A. McClanahan to build a mill-dam in Fayette county;" which was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, and said bill read a second time by the title, and

Ordered to be engrossed and read a third time.

Mr. Monroe, on leave given, introduced a bill for "An act to define the manner of proceeding in petitioning the General Assembly for locating or altering State roads;" which was read, and

Ordered to a second reading.

Mr. Mills, on leave given, introduced a bill for "An act to provide for the sale of school lands;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Hacker, on leave given, introduced a bill for "An act to locate a State road therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Hacker, Gibbs, and Parrish, be that committee.

Mr. Peck, on leave given, introduced a bill for "An act to amend an act, entitled 'An act establishing and regulating the inspection of tobacco in this State,' approved January 12, 1829;" which was read, and

Ordered to a second reading.

Mr. Witt moved to dispense with the rule of the Senate for the purpose of taking up a bill; which was not agreed to.

Mr. Fletcher moved to dispense with the rule of the Senate for the purpose of taking up a bill; which was not agreed to.

The resolution of Mr. Witt, having for its object the election of Canal Commissioners on Saturday next, was read.

Mr. Gatewood moved to amend, by striking out all of said resolution after the word "*Resolved*," and insert the following, viz:

"*By the General Assembly*, That the two Houses set apart the 12th of February, 1839, to the election of Canal Commissioners, Fund Commissioners, Commissioners of Public Works, and Directors, on the part of the State, in the Banks."

Mr. Thomas moved to amend the amendment, by adding "and that the two Houses will meet in the Hall of the House of Representatives at 10 o'clock, A. M., on the day herein named, for the purpose of proceeding to said election, and continue voting until the elections are made;" which was agreed to.

And on the question being taken on the amendment as amended,

It was decided in the affirmative.

The question recurring on the adoption of the resolution as amended,

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution offered by Mr. Wood, in relation to an appropriation for the improvement of the Kaskaskia river, was read and adopted.

The resolution offered by Mr. Hackelton, in relation to the several river improvements in this State, was read and adopted.

The resolution offered by Mr. Monroe, in relation to the standing hour of adjournment, was read.

Mr. Hacker moved to lay the resolution on the table; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Butler, Davidson, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hamlin, Harrison, Hunter, Mills, Mitchell, Parrish, Peck, Richardson, Servant, Stadden, Turney, Warren, Weatherford, Witt, and Wood—25.

Those who voted in the negative, are,

Messrs. Browning, Churchill, Fithian, Herndon, Johnston, Little, Moore, Monroe, Murray, Nunnally, O'Rear, Ross, and Thomas—13.

The resolutions offered by Mr. Monroe, in relation to the incorporation of towns, were read.

Mr. Hamlin called for a division of the question;

And the question being first put on the adoption of the first resolution, It was decided in the affirmative.

And the question recurring on the adoption of the resolution in relation to the expediency of consuming the time of the Legislature,

It was decided in the negative.

The engrossed bill, entitled "An act regulating tavern and grocery license," was read a third time.

Mr. Monroe moved to amend, by adding the following to the bill, as a proviso, viz:

"*Provided*, That this bill shall not be so construed as to prevent merchants from selling vinous or spirituous liquors;" which was not agreed to.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Fletcher, Gatewood, Gibbs, Hamlin, Harrison, Herndon, Little, Moore, Murray, O'Rear, Parrish, Ross, Stadden, Thomas, Turney, and Wood—21.

Those who voted in the negative, are,

Messrs. Borough, Davidson, Gaston, Greer, Hacker, Hackelton, Hunter, Johnston, Mills, Mitchell, Monroe, Nunnally, Peck, Richardson, Servant, Warren, Weatherford, and Witt—18.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bills, entitled

"An act disposing of the public property in Vandalia;"

"An act to locate a State road from the northern boundary of Warren county to Illinois city, in Rock Island county;" and

"An act to establish a State road from Beardstown to Manchester;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled:

"An act to create the county of Brown out of the county of Schuyler;"

"An act to permit William Jackson to insert a middle letter in his name;"

"An act to amend 'An act to incorporate the Caledonia Railroad Company;"

"An act to increase the corporate powers of the town of Chester;" and
"An act to provide for the election of justices of the peace in Naples and Meredosia, and for the appointment of certain notaries public;"

And also the preamble and resolutions in relation to the establishment of a surveyor general's office in the State of Illinois.

Mr. Gibbs moved to dispense with the rule of the Senate for the purpose of taking up a bill; which was not agreed to.

Mr. Servant moved that the Senate adjourn; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borrough, Browning, Butler, Churchill, Davidson, Fithian, Gaston, Gatewood, Greer, Hacker, Hackelton, Hamlin, Harrison, Hunter, Mills, Mitchell, Murray, Parrish, Peck, Richardson, Servant, Stadden, Thomas, Turney, Warren, and Weatherford—27.

Those who voted in the negative, are,

Messrs. Fletcher, Gibbs, Herndon, Johnston, Little, Moore, Monroe, Nunnally, O'Rear, Ross, Witt, and Wood—12.

FRIDAY, FEBRUARY 1, 1839.

Senate met pursuant to adjournment.

Mr. Thomas presented the petition of the president and trustees of the town of Beardstown, and also the petitions of sundry citizens of the county of Cass, praying the relocation of the county seat of Cass county.

On motion of Mr. Thomas,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Turney, from the committee on the Judiciary, to which was referred a bill for "An act to amend an act regulating the fees and compensation of the several officers and persons therein mentioned, approved Feb. 19, 1827," reported the same back to the Senate, and recommended the rejection of said bill; which was agreed to, and,

On motion of Mr. Witt,

Said bill was laid on the table.

Mr. Thomas, from the same committee, to which was referred a bill for "An act supplemental to the several acts in relation to the Wabash Navigation Company," reported the same back with several amendments thereto; which amendments were read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Little, from the same committee, to which was referred a bill for "An act concerning deeds executed without this State," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Thomas, from the same committee, to which was referred the petition of John Knight, of Fayette county, on the subject of conveying land, &c., reported the same back to the Senate, and asked to be dis-

charged from a further consideration of said petition; which was agreed to, and,

On motion of Mr. Witt,

Said petition was laid on the table.

Mr. Davidson, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act to amend an act to incorporate the Canton College of Illinois," reported the same back without amendment, and recommended the passage of said bill.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Thomas, from the same committee, to which was referred the bill from the House of Representatives, entitled "An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions and for avoiding vexatious law suits,'" reported the same back with an amendment thereto; which was read and concurred in.

On motion of Mr. Hacker,

Laid on the table.

Mr. Greer, from the select committee to which was referred the petition of G. P. Russell and others, praying for the relocation of a State road therein named, reported a bill, entitled "An act to relocate a part of the Vincennes and Chicago State road via Russelville, and to declare a certain road therein named a State road;" which was read, and

Ordered to a second reading.

On motion of Mr. Greer,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Witt moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved by the Senate, the House of Representatives concurring herein, That neither Branch of this General Assembly will receive any new business after the 20th of February, the present month, and that both branches of this General Assembly will adjourn *sine die*, on Monday, the 4th day of March, 1839.

Mr. Fithian moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Internal Improvements be instructed to provide for appropriating the sum of fifty thousand dollars to the improvement of the descending navigation of the Big Vermilion river and the Salt fork of said river, and that said sum shall be expended under the direction of two agents; one to be appointed by the county commissioners' court of Vermilion county, the other by the county commissioners' court of Champaign county; and to provide that, in the expenditure of said sum, said courts above mentioned shall have a care to the improvement of said streams for mill-privileges as well as the descending navigation.

Mr. Warren moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That there shall be no more fiddling and dancing, nor phrenological lecturing in the Senate chamber during the present session.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, and the resolution taken up and considered.

Mr. Browning moved to amend by striking out the words "nor phrenological lectures;" which was decided the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Gaston, Hacker, Little, Servant, Stadden, and Witt—8.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Churchill, Fithian, Fletcher, Greer, Hackelton, Hamlin, Harrison, Herndon, Hunter, Johnston, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Thomas, Turney, Warren, Weatherford, and Wood—29.

Mr. Monroe moved to amend by inserting, after the word "phrenological," the words "bugological or other logical."

Mr. Fithian moved to amend the amendment by adding, after the word "logical," the words "or any other."

Mr. Warren moved the previous question.

And on the question—"Shall the main question be now put?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning Butler, Churchill, Davidson, Fletcher, Gaston, Greer, Hamlin, Harrison, Hunter, Johnston, Mills, Moore, Murray, Nunnally, O'Rear, Parrish, Ross, Thomas, and Warren—23.

Those who voted in the negative, are,

Messrs. Fithian, Gatewood, Hacker, Hackelton, Little, Mitchell, Monroe, Peck, Richardson, Servant, Stadden, Turney, Weatherford, Witt, and Wood—15.

The question recurring on the adoption of the resolution,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Butler, Churchill, Fletcher, Gaston, Greer, Hamlin, Herndon, Hunter, Johnston, Mills, Moore, Murray, Nunnally, O'Rear, Parrish, Ross, Thomas, Warren, and Weatherford—22.

Those who voted in the negative, are,

Messrs. Davidson, Fithian, Gatewood, Hacker, Hackelton, Harrison, Little, Mitchell, Monroe, Peck, Richardson, Servant, Stadden, Turney, Witt, and Wood—16.

Mr. Servant, on leave given, introduced a bill for "An act to regulate the compensation of sheriffs for conveying convicts to the Penitentiary;" which was read, and

Ordered to a third reading.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Allen, on leave given, introduced a bill, entitled "An act to incorporate the town of Bloomington;" which was read, and

Ordered to a second reading.

On motion of Mr. Allen,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Mills, on leave given, introduced a bill, entitled "An act to authorize a change in a certain State road therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Hunter, on leave given, introduced a bill, entitled "An act to incorporate the Amity Academy, in Bond county, and the Lebanon Female Academy, in St. Clair county;" which was read, and

Ordered to a second reading.

On motion of Mr. Hunter,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on School Lands and Education.

Mr. O'Rear, on leave given, introduced a bill, entitled "An act declaring the road from Jacksonville to Springfield a State road;" which was read, and

Ordered to a second reading.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Browning, on leave given, introduced a bill, entitled "An act to repeal an act to provide for the election of probate justices of the peace;" which was read, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and the bill read a second time by its title.

Mr. Witt moved to lay the bill on the table until the 4th day of July next.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring upon the question pending at the time of adjournment, upon laying on the table, until the 4th day of July next, a bill entitled "An act to provide for the election of justices of the peace,"

Mr. Davidson moved that the bill be laid on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Hackelton, Hamlin, Hunter, Johnston, Mitchell, Murray, Nunnally, Parrish, Richardson, Ross, Thomas, Warren, and Witt—13.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Gatewood, Greer, Harrison, Herndon, Little, Mills, Moore, Monroe, O'Rear, Peck, Servant, Stadden, Turney, Weatherford, and Wood—24.

The question then recurring upon the motion to lay on the table until the 4th day of July next,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Borough, Hackelton, Hamlin, Herndon, Hunter, Johnston, Mitchell, Murray, Nunnally, O'Rear, Parrish, Richardson, Ross, Stadden, Thomas, Turney, Warren, Weatherford, and Witt—19.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Gatewood, Greer, Hacker, Harrison, Little, Mills, Moore, Monroe, Peck, Servant, and Wood—19.

Mr. Thomas moved the following amendment, viz:

Add the following sections:

The act, entitled "An act to amend an act entitled 'An act relating to the Attorney General and State's Attorneys,'" which took effect on the seventh day of February, 1835, is hereby repealed, and the acts repealed by said act are hereby revived, and declared to be in full force and effect.

"All proceedings had before justices of probate, and all records made by them, shall be deemed to have been had and done before a court of record, and shall have the same force and effect and validity as if had and done before a court of record;" which the Chair decided not to be in order;

From which decision Mr. Thomas appealed;

And thereupon the question was put—"Shall the decision of the Chair stand as the judgment of the Senate?"

And was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Gatewood, Greer, Hackelton, Hamlin, Harrison, Johnston, Little, Mills, Moore, Servant, Witt, and Wood—20.

Those who voted in the negative, are,

Messrs. Borough, Hacker, Herndon, Hunter, Mitchell, Murray, Nunnally, O'Rear, Parrish Peck, Richardson, Stadden, Thomas, Turney, Warren, and Weatherford—16.

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Greer, Hacker, Harrison, Little, Mills, Moore, Monroe, Servant, and Wood—19.

Those who voted in the negative, are,

Messrs. Borough, Hackelton, Herndon, Hunter, Johnston, Mitchell,

Murray, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Stadden, Thomas, Turney, Warren, Weatherford, and Witt—19.

The engrossed bills, entitled

"An act to relocate a part of the State road from Calhoun county to Schuyler county;" and

"An act to change a part of the State road from Vandalia to Salem."

Were severally read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The engrossed bill, entitled a bill for "An act to amend an act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties," was read a third time.

Mr. Blackwell moved to add the following, as a proviso, viz:

"*Provided*, That nothing herein contained shall be construed to compel the commissioners to allow one dollar per day, but an allowance of less than one dollar per day may be made whenever the commissioners may be satisfied that one dollar will operate oppressively upon counties."

Mr. Hacker moved that the bill and proposed amendment be referred to a select committee; which was not agreed to.

And the question recurring upon the amendment,

It was decided in the affirmative.

Mr. Servant moved that the vote just taken upon the amendment be reconsidered; which was agreed to.

Whereupon,

Mr. Mills moved to amend the amendment, by adding the following, viz:

"*Provided*, That nothing herein contained, shall be so construed as to extend the provisions of the above act to the counties of Edwards and Wabash, and also the counties of Union and Alexander;" which was not agreed to.

Whereupon,

Mr. Mills moved the previous question.

On the question being taken—"Shall the main question be now put?"

It was decided in the negative.

And the question recurring on the amendment proposed by Mr. Blackwell,

It was decided in the affirmative.

And on the question—"Shall the bill, as amended, pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning Butler, Churchill, Fithian, Fletcher, Gaston, Gatewood, Greer, Hackelton, Hamlin, Herndon, Hunter, Johnston, Litte Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood—34.

Those who voted in the negative, are,

Messrs. Davidson, Hacker, Harrison, Mills, and Richardson—5.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bill, entitled "An act to incorporate the La Salle Prairie Company," was read the third time.

On motion,

The Senate adjourned.

SATURDAY, FEBRUARY 2, 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred in the amendments of the Senate to the bills from the House, entitled

"An act for the relief of the securities of Thomas Moore;" and

"An act to incorporate the Mississippi and Grand Tower Bridge Company." And he withdrew.

Mr. Witt presented the petition of sundry citizens of Greene county, praying the repeal of all laws authorizing the sale of intoxicating liquors.

On motion of Mr. Witt,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Murray presented the petition of 51 citizens of St. Clair county, upon the same subject.

On motion of Mr. Murray,

The reading of the same was dispensed with, and referred to the same committee.

Mr. Churchill presented the petition of 226 citizens of the county of Madison, upon the same subject.

On motion of Mr. Churchill,

The reading of the same was dispensed with, and referred to the same committee.

Mr. Hackelton, from the committee on Enrolled Bills, reported that, on yesterday, they laid before the Council of Revision bills of the following titles, viz:

"An act to permit William Jackson to insert a middle letter in his name;"

"An act to amend 'An act to incorporate the Caledonia Railroad Company;'"

"An act to create the county of Brown out of the county of Schuyler;"

"An act to increase the corporate powers of the town of Chester;" and

"An act to provide for the election of justices of the peace in the town of Naples and Meredosia, and for the appointment of certain notaries public;"

And they have delivered to the Governor the preamble and resolutions in relation to the establishment of a surveyor general's office in the State of Illinois.

Mr. Harrison, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled a bill for

"An act to vacate certain alleys in the town of Tremont," reported the same back with an amendment; which was read and concurred in.

Mr. Witt moved to lay the same on the table until the fourth day of July next.

Mr. Herndon moved to lay the bill, as amended, on the table; which was first put, and decided in the affirmative.

Mr. Nunnally, from the committee on Public Roads, reported a bill, entitled a bill for "An act to change a part of the Grandview and Terre Haute road, in the county of Edgar;" which was read, and

Ordered to a second reading.

Mr. Davidson, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act in relation to garnishees," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Borough, from the committee on Public Roads, to which was referred the petition of sundry citizens of Pekin, in Tazewell county, in relation to a State road, reported a bill, entitled a bill for "An act to locate a State road therein named;" which was read, and

Ordered to a second reading.

Mr. Harrison, from the committee on the Judiciary, to which was referred "An act in relation to the town of Bloomington," together with the objections of the Council of Revision, reported the same back without amendment, and recommended the rejection of said bill; which was agreed to; and,

On motion of Mr. Thomas,

Said bill and objections were laid on the table.

Mr. Harrison, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act to vacate a part of an addition to the town of Danville," reported the same back without amendment, and recommended the rejection of said bill.

On motion of Mr. Davidson,

Laid on the table.

Mr. Johnston, from the select committee to which was referred the petition of the president and trustees of the town of Mount Vernon, reported a bill, entitled a bill for "An act to resurvey the town of Mount Vernon;" which was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Ross moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved, That the chairman of the committee on the Judiciary be requested to inquire of the Judges of the Supreme Court whether, in their opinion, the public interest would be promoted by the establishment of a public library at the seat of Government.

Mr. Gatewood moved the adoption of the following resolutions, which lie on the table one day, viz:

Resolved, That it is the opinion of the General Assembly that it is inexpedient that the Congress of the United States establish a National Bank on any terms.

Resolved, That our Senators and Representatives in Congress be requested to use their influence to oppose any line of policy that may lead to the establishment of a National Bank.

Resolved, That the recent policy of the States in the establishment of State Banks, and connecting them with the various systems of Internal Improvement in the several States, requires at the hands of this State an uncompromising hostility to a United States Bank.

Mr. Peck moved to reconsider the vote taken on yesterday, upon ordering to a third reading a bill, entitled a bill for "An act to repeal 'An act to provide for the election of probate justices of the peace;'" which was agreed to.

Whereupon,

On motion of Mr. Davidson,

Said bill was referred to the committee on the Judiciary.

Mr. Witt, on leave given, introduced a bill for "An act for the relief Calhoun county;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Witt, Wood, and Allen, be that committee.

Mr. Servant, on leave given, introduced a bill for "An act to incorporate the Insurance and Trust Company of Illinois;" which was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Servant, Murray, and Gibbs, be that committee.

Mr. Weatherford, on leave given, introduced a bill for "An act to amend an act, entitled 'An act for the relief of the poor,' approved March 1, 1833;" which was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

On motion of Mr. Hacker,

The bill from the House of Representatives, entitled a bill for "An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions and for avoiding vexatious law suits,'" was taken up, and

Ordered to a third reading.

Mr. Peck, on leave given, introduced a bill for "An act further to provide for the release and extinction of mortgages;" which was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

The resolution offered by Mr. Witt, in relation to the adjournment of the two Houses of the General Assembly, was read.

Whereupon, Mr. Weatherford moved to amend said resolution, by striking out the word "twentieth," and inserting "eleventh;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Fithian, Hacker, Harrison, Little, Moore, Monroe, Murray, O'Rear, Peck, Ross, Stadden, Thomas, Weatherford, and Witt—15.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fletcher, Gaston, Greer, Hackelton, Hamlin, Hunter, Johnston, Mills, Nunnally, Parrish, Richardson, Servant, Warren, and Wood—20.

Mr. Hamlin moved to amend, by striking out "twentieth," and insert "fifteenth."

Mr. Hackelton called for a division of the question;

And the question being taken upon striking out,

It was decided in the negative.

The question recurring upon the adoption of the resolution,

Mr. Nunnally called for a division of the question;

And the question being first taken upon that branch of the resolution in relation to receiving new business,

It was decided in the affirmative.

And the question then recurring on the adoption of the remainder of said resolution,

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution offered by Mr. Fithian, in relation to the appropriation for the improvement of the navigation of the Vermilion river, was read.

Whereupon, Mr. Murray moved to amend said resolution, by adding the following, viz:

"And they also inquire into the expediency of appropriating a sufficient sum to remove the obstructions to the navigation of the Embarrass river; and also a sum sufficient to construct the road from Charleston to Marshall."

Mr. Thomas moved to amend said amendment, by adding, "and also a sum sufficient to improve the navigation of the Sangamon river;" which was agreed to.

And the amendment, as amended, was adopted;

And the question recurring upon the adoption of the resolution as amended,

It was decided in the affirmative.

The orders of the day being taken up, and the question recurring on the question pending at the time of adjournment on yesterday, on the passage of a bill, entitled a bill for "An act to incorporate the La Salle Prairie Company,"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bills, entitled

"An act to provide for the appointment of notaries public;"

"An act to authorize the county commissioners of Peoria and other counties to lease certain offices;"

"An act to change part of the Philips's ferry road in Morgan county;"

"An act to authorize John A. McClanahan to build a mill-dam in Fayette county;"

"An act to amend an act, entitled 'An act to locate a State road from Thornton to Lockport, Plainfield, and Blackberry creek,' approved Feb. 27, 1837;" and

"An act to incorporate the German Library Society of St. Clair county;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The bill from the House of Representatives, entitled "An act to incorporate the town of Warsaw," was read a third time, as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

The bill from the House of Representatives, entitled "An act to authorize Benjamin McKay and others to lay off additional lots in the town of Stephenson, in Rock Island county," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend an act, entitled 'An act authorizing a lottery to raise funds for the purpose of draining the ponds of the American bottom,'" was read a third time.

Mr. Witt moved to amend the bill by adding the following, viz:

"The Legislature reserves the right to repeal this act at any time when the public good may require it;" which was not agreed to.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs, Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Gaston, Greer, Hacker, Hamlin, Herndon, Johnston, Mitchell, Moore, Monroe, Murray, O'Rear, Parrish, Peck, Richardson, Ross, Servant, Stadden, Thomas, Warren, and Wood—28.

Those who voted in the negative, are,

Messrs. Butler, Hunter, Nunnally, Weatherford, and Witt—5.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

MONDAY, FEBRUARY 4, 1839.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendments to the bill from the House, entitled "An act supplemental to an act to incorporate the Rushville Railroad Company, approved Jan. 16, 1836."

The House have also concurred with the Senate in the passage of a bill, entitled "An act to amend an act, entitled 'An act forming an additional justice's district in the county of Randolph.'"

The House have likewise concurred with the Senate in the adoption of the resolution requiring the engrossing Clerks of both Houses to make out a sufficient number of copies of all memorials and resolutions adopted by this General Assembly, and intended to be transmitted to Congress, to enable the Governor to transmit the same, &c.

The House of Representatives have adopted the following resolutions, viz:

Resolved by the General Assembly of the State of Illinois, That the said State propose to purchase of the Government of the United States all the lands not sold or otherwise disposed of within the limits of said State, at the rate of twenty-five cents per acre, to be paid (unless otherwise agreed upon) at such time as the said Government of the United States shall deliver over, to the authorities of the said State of Illinois, all the plats, field notes, &c. &c., pertaining to the surveys of said lands.

Resolved, That the faith of the said State of Illinois is hereby irrevocably pledged to carry into effect the foregoing proposal, if the Government of the United States shall except the same within two years from the passage hereof.

Resolved, That our Senators in Congress be instructed, and our Representatives requested, to use their best exertions to procure the passage of a law or resolution of Congress accepting the foregoing proposal.

Resolved, That the Governor be requested to transmit a copy of the foregoing resolutions to each of our Senators and Representatives in Congress.

In the adoption of which resolutions they ask the concurrence of the Senate. And he withdrew.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to create the county of Brown out of the county of Schuyler;"

"An act to amend an act to incorporate the Cairo City and Canal Company;" and

"An act for the relief of Robert Davis and others." And he withdrew.

Mr. Hamlin presented the petition of about 200 citizens of Peoria county, praying the repeal of all laws authorizing the sale of spirituous liquors.

On motion of Mr. Hamlin,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Richardson presented the petition of 58 citizens of Schuyler county, on the same subject, and,

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the same committee.

Mr. Butler presented the petition of sundry citizens of Knox county, on the same subject, and,

On motion of Mr. Butler,

The reading of the same was dispensed with, and referred to the same committee

Mr. Hamlin presented the petition of Isaac Underhill, praying for the passage of "An act to vacate the plats of certain towns therein named, and,

On motion of Mr. Hamlin,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Hamlin, Butler, and Browning, be that committee.

Mr. Peck presented the petition of sundry citizens of Cook, Will and McHenry counties, asking for a division of the seventh judicial circuit, and,

On motion of Mr. Peck,

The reading of the same was dispensed with, and referred to the select committee of ten to which was referred a bill dividing the State into judicial circuits.

Mr. Ross presented the petition of sundry citizens of Pike county, praying for an appropriation to improve the State road from Winchester, in Morgan county, to Pittsfield, in Pike county, and,

On motion of Mr. Ross,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Ross, Browning, and Thomas, be that committee.

Mr. Thomas presented the petition of sundry citizens of Morgan county, on the same subject, which was read, and,

On motion of Mr. Thomas,

Referred to the same select committee.

Mr. Ross presented the petition of sundry citizens of Pike county, praying for the location of a State road from Rushville, in Schuyler county, to Pittsfield, in Pike county, and,

On motion of Mr. Ross,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Ross, Richardson, and Hackelton, be that committee.

Mr. Harrison, from the committee on the Judiciary, to which was referred "An act to repeal all laws authorizing landlords to distrain for rent," reported the same back without amendment, and recommended the passage of said bill.

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative.

Mr. Stadden, from the committee on Canals and Canal Lands, to which was referred the petition of sundry citizens of the town of La Salle, in relation to a charity hospital, reported a bill, entitled "An act to incorporate the La Salle Charity Hospital;" which was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Stadden, from the same committee, to which was referred the petition of sundry citizens of the town of La Salle, asking for a lot upon which to build a church, reported a bill, entitled a bill for "An act to provide for the dedication of lots, in towns situated on canal lands, to public purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Richardson moved to reconsider the vote just taken upon ordering to a third reading a bill for "An act to repeal all laws authorizing landlords to distrain for rent;" which was not agreed to.

Mr. Wood, from the committee on Petitions, to which were referred the petition of sundry citizens of Cass county, and the memorial of the president and trustees of the town of Beardstown, in relation to the relocation of the county seat of Cass county, reported the same back, and asked to be discharged from the further consideration of the subject; which was agreed to; and,

On motion of Mr. Thomas,

Leave was given him to withdraw said papers from the files of the Senate.

Mr. Witt, from the select committee to which was referred "A bill for the relief of Calhoun county," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Servant, from the select committee to which was referred a bill, entitled "An act to incorporate the Insurance and Trust Company of Illinois," reported the same back without amendment, and recommended the passage of said bill.

On motion of Mr. Peck,

Referred to the committee on the Judiciary.

Mr. Butler moved the adoption of the following preamble and resolutions, which lie one day on the table, viz:

Whereas our system of Internal Improvement is one of great magnitude, involving a large expenditure of money, embracing, as it does,

between twelve and fifteen hundred miles of railroad, besides the improvement of the Vincennes and St. Louis mail route, and the improvement of the navigation of five rivers; and whereas the cost of constructing so many railroads, together with the other works of improvement contemplated in the system, appears to be very uncertain, and much of the work of doubtful utility; and whereas it is apprehended by many of the citizens of the State that the system is more extensive than is required by the wants of the people, or justified by the revenue of the State; and whereas, according to the present mode of prosecuting the work, it is contemplated that the whole shall be in progress at the same time, thereby involving the State in a large debt before an opportunity is afforded to determine, from experience, the wisdom or utility of any of the works; and whereas, by concentrating the means and energies of the State upon some one or two of the most important of the roads in the system, they could be completed in a few years, and (if found to be profitable, and that the whole system was found not to be too large) would aid in the completion of the other parts of the system—but if it should be found that the cost of carrying out the system would be beyond the means of the State, and that the roads when made would not be profitable or useful, then the subsequent Legislature, guided by the light of experience, could abandon such as were unnecessary; and whereas the present number of officers is believed to be unnecessarily large and expensive: Therefore,

Resolved, That the committee on Internal Improvements be instructed to report a bill providing for the classification of the roads embraced in the said system, and that the roads in the first class shall be completed first; and further providing for the reduction in the number of officers belonging to the system, and more particularly defining their powers and duties.

Mr. Ross, on leave given, introduced a bill for "An act relating to the appointment of clerks in the circuit courts of this State;" which was read, and

Ordered to a second reading.

Mr. Witt moved to dispense with the rule, and read the bill a second time by its title; which was not agreed to.

The resolution offered by Mr. Ross, in relation to the establishing a State library at the seat of Government, was read, and adopted.

The resolutions offered by Mr. Gatewood, in relation to the establishment of a National Bank, were read.

Mr. Fithian moved to amend the first resolution, by adding, after the word "inexpedient," the words "at this time;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—19.

Those who voted in the negative, are,

Messrs. Borough, Butler, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt and Wood—21.

The question then recurring on the adoption of the resolution,

Mr. Mills called for a division of the question;

And the question being taken on the first branch of said resolution "that it is expedient, &c. to establish a United States Bank on any terms,"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Butler, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—24.

Those who voted in the negative, are,

Messrs. Allen, Browning, Churchill, Davidson, Fithian, Fletcher, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, and Thomas—16.

The question then recurring on the second branch of said resolutions, requiring our Senators and Representatives in Congress to oppose the establishment of a National Bank,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Butler, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—24.

Those who voted in the negative, are,

Messrs. Allen, Browning, Churchill, Davidson, Fithian, Fletcher, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, and Thomas—16.

The question then recurring on the adoption of the third and last branch of said resolutions,

Mr. Ross moved to strike out all of said resolution after the word "*Resolved*," and insert the following, viz:

"That in the opinion of this General Assembly, a National Bank would not militate against the interests of State Banks, but is necessary to regulate the exchanges of the country, which is so essential to the interests of State Banks."

Mr. Richardson called for a division of the question;

And the question being first taken upon striking out,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Fithian, Fletcher, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—16.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Davidson, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—23.

Whereupon,

Mr. Monroe moved to amend said resolution, by adding the following, viz:

"*Provided*, That we do not, in anywise, by the adoption of these resolutions, design to express an opinion favorable to the Sub-treasury, nor do we believe that the Congress of the United States is not competent to

establish a National Bank upon such principles as might be conducive to the public good, whenever the interests of the community require it, to regulate the exchanges of the country, and provide a safe and sound circulating medium of uniform value; and that our Senators be also instructed to support and use their influence to procure the passage of a law embracing the provisions of Mr. Clay's Land Bill giving the new States fifteen per cent. of the amount of money collected in them, and dividing the remainder among the States according to their population;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas—17.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Davidson, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—22.

The question then recurring on the adoption of the last branch of said resolutions,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Borough, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—19.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Servant, and Thomas—18.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Ross moved that leave be granted him to record his vote in the negative on the question last taken upon the adoption of the last branch of the resolutions offered by Mr. Gatewood; which was not agreed to.

Mr. Mills moved that the Senate now resolve itself into a committee of the Whole, to take into consideration a bill for "An act for the distribution of the school and seminary funds amongst the several counties of this State, and to provide for the application of the interest to common school purposes;" which was not agreed to.

The engrossed bills, entitled

"An act concerning deeds executed without this State;"

"An act supplemental to the several acts relative to the Wabash Navigation Company;"

"An act to relocate a part of the Vincennes and Chicago State road, via Russelville, and to declare a certain road therein named a State road;" and

"An act to authorize a change in a certain State road therein named;" Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The bill from the House of Representatives, entitled "An act to grant a compensation to the Brigade Inspector of the first brigade and third division of Illinois militia," was read a third time as amended, and passed.

Mr. Davidson moved to amend the title, by adding the words "and for other purposes;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill from the House of Representatives, entitled "An act to incorporate the town of Fayette," was read a third time and passed.

Mr. Witt moved to amend the title, by adding the words, "in Greene county;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bills from the House of Representatives, entitled

"An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions and for avoiding vexatious law suits;'"

"An act to create the county of Du Page;"

"An act to repeal part of 'An act to incorporate the city of Chicago;'" and

"An act to authorize Ezra Baker, jr. and Henry I. Mills to erect a mill-dam across the Little Wabash river;"

Were severally read a third time, as amended, and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bills.

The bills from the House of Representatives, entitled

"An act in relation to garnishees;"

"An act for the relief of the inhabitants of township number two south, range eight east, in Wayne county;"

"An act for the relief of the heirs of John Thompson, deceased;"

"An act to change the name of the town of Charleston, in the county of Kane, to that of St. Charles;"

"An act to vacate the plat of the town of Savannah, in Iroquois county;" and

"An act to change a certain State road in Morgan county;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills.

A bill for "An act to provide for a loan for canal purposes," being under consideration,

Mr. Thomas moved to amend the bill as follows :

First section, fifth line, strike out the word "half."

Add, as section nine: "In contracting for loans under the provisions of this act, provision shall be made for the reception of the money by the State in sums of one hundred thousand dollars, as the same may be wanting for expenditure upon the canal;" which was agreed to.

Ordered to be engrossed as amended, and read a third time.

A bill for "An act to provide for selling water-lots and privileges on the Illinois and Michigan canal," being under consideration,

Mr. Thomas moved to amend the bill as follows:

"Section 12. The provisions of the 39th and 40th sections of the act, entitled "An act for the construction of the Illinois and Michigan canal, approved on the 9th day of January, in the year of our Lord one thousand eight hundred and thirty-six," shall be applicable to sales made under the provisions of this act.

"Section 14. The power of taxing the lots and privileges sold under the provisions of this act, and all improvements made thereon, is reserved to the State, but this power to be exercised according to the provisions of the Constitution, and the same rules to be observed in assessing and collecting the taxes as are applied to other property in the State."

Which was agreed to.

Ordered to be engrossed as amended, and read a third time.

The bill for "An act to amend the several laws in relation to the Illinois and Michigan canal," being under consideration, was,

On motion of Mr. Thomas,

Referred to the committee on Canals and Canal Lands.

The bill for "An act fixing the salary of the Governor, and requiring him to reside at the seat of Government," was read the second time, and

Mr. Ross moved to amend said bill, by striking out the words "and shall be provided with an office at the expense of the State;" which was agreed to.

And on the question—"Shall the bill as amended be engrossed and read the third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Davidson, Fithian, Gibbs, Greer, Hacker, Hamlin, Harrison, Little, Mills, Mitchell, Peck, Ross, Servant, Stadden, Thomas, Turney, Weatherford, and Witt—22.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Fletcher, Gaston, Hunter, Johnston, Moore, Monroe, Murray, Nunnally, Parrish, Richardson, Warren, and Wood—15.

The bill for "An act providing for a geological survey of the State, and for other purposes," was read the second time, and,

On motion of Mr. Turney,

Referred to the committee on Finance.

The bill for "An act to amend 'An act regulating mills and millers,'" was read the second time, and,

On motion of Mr. Weatherford,

Referred to the committee on the Judiciary.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 5, 1839.

Senate met pursuant to adjournment.

Mr. Little, from the committee on the Judiciary, to which was referred the petition and papers of Jephtha Hardin, reported the same back, and asked to be discharged from a further consideration of the subject; which was agreed to.

On motion of Mr. Hamlin,

Laid on the table.

Mr. Browning, from the same committee, to which was referred a bill for "An act to amend an act, approved March 1, 1833, entitled 'An act for the relief of the poor,'" reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Browning, from the same committee, to which was referred a bill for "An act to amend an act regulating mills and millers," reported the same back without amendment, and recommend the passage of said bill.

Mr. Witt moved to amend by striking out so much of said bill as relates to freeholders; which was not agreed to.

On motion of Mr. Parrish,

Laid on the table.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred in the amendments of the Senate to the bills from the House of Representatives, entitled

"An act to incorporate the town of Warsaw;" and

"An act to amend an act, entitled 'An act concerning judgments and executions,' approved Jan. 17, 1825."

They have also concurred with the Senate in the passage of a bill, entitled "An act to provide for certain improvements in Pike county."

They have also concurred with the Senate in the adoption of the resolution in relation to the reception of new business, and the adjournment of this General Assembly.

They have likewise concurred with the Senate in the adoption of the resolution appointing the 12th day of February, 1839, for the election of Canal Commissioners, &c., as amended by them.

They amend as follow:

Strike out "12th," and insert, in lieu thereof, "9th."

Strike out "Fund Commissioners," and insert "Commissioners of Public Works."

Add, after word "Banks," the words "and also State's Attorneys for the 3d, 4th and 7th judicial circuits."

In which amendments they ask the concurrence of the Senate.

They have passed a bill of the following title, viz: "An act to change an appropriation heretofore made to Clinton county."

In the passage of which they ask the concurrence of the Senate. And he withdrew.

Mr. Thomas, from the committee on Canals and Canal Lands, to which was referred a bill for "An act to amend the several laws in relation to the Illinois and Michigan canal," reported the same back with sundry amendments thereto; which were severally read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Little, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the Insurance and Trust Company of Illinois," reported the same back with several amendments thereto; which were read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Parrish, from the select committee to which was referred the petition of sundry citizens of Franklin county, praying for a State road from Frankfort to Maysville, reported a bill for "An act to locate a State road therein named;" which was read, and

Ordered to a second reading.

On motion of Mr. Parrish.

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Mills, Parrish, and Johnston, be that committee.

Mr. Blackwell moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, That the committee on the Judiciary be instructed to report a bill limiting the term of office of Secretary of State.

Mr. Monroe moved the adoption of the following preamble and resolutions, which lie on the table one day, viz:

Whereas the State of Illinois has engaged in a system of Internal Improvement to a greater extent than any State or community with the same amount of population and resources ever has heretofore embarked; and whereas we are confident that the system of Internal Improvements is calculated not only to develop the resources of one section of the State, but, if carried out, will, by making artificial channels, (by which the products of the country may be carried to market in any section of the Union, and such articles as may be wanted for the consumption of the country imported) develop the resources of every part of it:

And whereas the State is yet in its infancy, and our finances are far from being in a prosperous condition; but on the contrary our revenue for years past has not amounted to the ordinary expenses of Government, and we have been compelled to borrow a fund which ought to have been held sacred for the use of schools, and this deficit at the present time amounts to near a million of dollars—the ordinary expenses of the Government to between eighty or ninety thousand dollars per annum, and the revenue does not amount to seventy thousand; which state of embarrassment in our Treasury would have been avoided, had the land bill passed, which was introduced some years since in the Senate of the United States (giving to the new States seventeen and one half per cent. of the nett proceeds of the sales of lands in those States, and then dividing the remainder among the several States, and which passed both Houses of Congress and would have been a law but for the veto of the President;) but to the contrary, it would have poured into our treasury some millions

of dollars, and we would now have been free from debt and embarrassment; and without being compelled to resort directly to taxation upon the people, we would have been able to have carried on the system of Internal Improvements:

Therefore, in order to prevent a resort to direct taxation to carry on this system of Internal Improvements,

Be it resolved by the General Assembly, That our Senators in Congress be instructed, and our Representatives be requested, to support and endeavor to procure the passage of a law distributing the proceeds of the sales of the public lands among the several States, after giving the States in which the money is collected from said sales a reasonable per cent upon the amount collected in said States.

Resolved, That the Hon. Henry Clay of Kentucky deserves the thanks of the people of the west for the able and fearless exertion in their behalf, in attempting to procure for them the benefits which would have resulted had his land bill become the law of the land.

Mr. Hackelton, from the committee on Enrolled Bills, reported, and correctly enrolled, the resolutions relating to the establishment of an Independent Treasury or Sub-treasury system.

Mr. Witt, on leave given, introduced a bill for "An act to incorporate the Illinois Steamboat Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Turney, on leave given, introduced a bill for "An act to establish additional judicial circuits in this State, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Turney,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Peck, on leave given, introduced a bill for "An act authorizing the building of a bridge across the Des Plaines river;" which was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by the title, and

Ordered to be engrossed and read a third time.

A message from the Governor, by Mr. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Speaker announced that the communication just received from the Governor was upon executive business.

Whereupon, the doors were closed;

And upon the opening of the doors,

Mr. Hamlin moved to take up a bill from the House of Representatives, some days since laid on the table, entitled a bill for "An act to vacate certain alleys in the town of Tremont;" which was agreed to.

And the question recurring on the adoption of the amendments of the committee to said bill,

Mr. Thomas moved to amend the amendment by striking out the third and fourth sections of said amendment:

On motion of Mr. Mitchell,

Referred to a select committee.

Ordered, That Messrs. Mitchell, Witt, and Thomas, be that committee.

The preamble and resolutions offered by Mr. Butler, in relation to the system of Internal Improvements, was read.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the adoption of the preamble and resolutions offered by Mr. Butler, which was pending at the time of adjournment,

On motion of Mr. Thomas,

Said preamble and resolutions were laid on the table.

The engrossed bills, entitled

"An act declaring the road from Jacksonville to Springfield a State road;"

"An act for the relief of Calhoun county;"

"An act to incorporate the La Salle Charity Hospital;" and

"An act to resurvey the town of Mount Vernon;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

"An act in relation to the Governor of this State," was read the second time, and,

On motion of Mr. Witt,

Referred to the committee on the Judiciary.

A bill for "An act to limit justices of the peace and constables to their own districts in the county of Edgar," was read a second time.

Mr. Warren moved to refer said bill to a select committee; which was not agreed to.

Mr. Wood moved to lay the same on the table until the fourth day of July next.

Mr. Monroe moved to refer the same to the committee on the Judiciary; which was not agreed to.

And the question recurring on the motion to lay on the table until the fourth day of July next,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Churchill, Fithian, Fletcher,

Greer, Hacker, Hamlin, Little, Mitchell, Moore, Murray, O'Rear, Servant, Thomas, and Wood—17.

Those who voted in the negative, are,

Messrs. Butler, Davidson, Gaston, Gibbs, Harrison, Herndon, Hunter, Johnston, Mills, Monroe, Nunnally, Parrish, Peck, Stadden, Turney, Warren, Weatherford, and Witt—18.

Whereupon,

On motion of Mr. Butler,

Said bill was laid on the table.

A bill for "An act relating to the appointments of clerks in the circuit courts of this State," was read a second time, and,

On motion of Mr. Blackwell,

Referred to the committee on the Judiciary.

A bill for "An act to amend an act, entitled 'An act establishing and regulating the inspection of tobacco, in this State,' approved Jan. 12, 1829," was read a second time, and,

On motion of Mr. Peck,

Referred to a select committee.

Ordered, That Messrs. Peck, Stadden, and Richardson, be that committee.

A bill for "An act to define the manner of proceeding in petitioning the General Assembly for locating and altering State roads," was read a second time, and,

On motion of Mr. Monroe,

Referred to the committee on Public Roads

A bill for an act to change a part of the Grand View and Terre Haute road in the county of Edgar," was read a second time, and

Ordered to be engrossed and read a third time.

On motion of Mr. Nunnally,

The rule of the Senate was dispensed with, and the said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The bills, entitled

"An act to amend the act incorporating the New Canton and Piketon Railroad Company;"

"An act to authorize the county commissioners of Peoria county to change a State road;"

"An act to incorporate Kane College;"

"An act to amend an act, entitled 'An act to locate a State road from the Indiana line northwest in a direction to Mineral Point;"

"An act relating to service of process against corporations;"

"An act to amend an act to provide for the taking of the census or enumeration of the inhabitants of the State, approved Jan. 13, 1829;"

"An act to incorporate the Shawneetown Academy, in Gallatin county;"

"An act to amend an act, entitled 'An act to incorporate the Jo Daviess Marine and Fire Insurance Company;"

"An act supplementary to an act prescribing the mode of trying the right of property;"

"An act respecting section sixteen, in township two south, in range fourteen west, in Edwards county;" and

"An act to locate a certain road therein named;"

Were severally read a second time, and

Ordered to be engrossed and read a third time.

The bill from the House of Representatives, entitled "An act to incorporate the Warsaw University of Illinois," was read a second time, and,

On motion of Mr. Little,

Referred to a select committee.

Ordered, That Messrs. Little, Stadden, and Ross, be that committee.

The bill from the House of Representatives, entitled "An act concerning the public revenue of the county of Knox," was read a second time, and,

On motion of Mr. Thomas,

Referred to the committee on Finance.

The bill from the House of Representatives, entitled "An act for the relief of settlers upon the public lands," was read the second time, and,

On motion of Mr. Murray,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to relocate the seat of justice of Livingston county," was read a second time, and,

On motion of Mr. Stadden,

Referred to a select committee.

Ordered, That Messrs. Stadden, Peck, and Allen, be that committee.

The bill from the House of Representatives, entitled "An act to incorporate the Illinois Mutual Fire Insurance Company," was read the second time, and,

On motion of Mr. Murray,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to authorize Henry W. Cleveland to build a toll-bridge across the Winnebago swamp," was read a second time, and,

On motion of Mr. Servant,

Referred to the committee on the Judiciary.

The bills from the House of Representatives, entitled

"An act to legalize the sale of section sixteen in township nine north, range two east, in Knox county;"

"An act to legalize the acts of John Simpson, a justice of the peace in Johnson county;"

"An act in relation to the records of Johnson county;"

"An act to change the name of the town of Fairfield, in Adams county;"

"An act to authorize Reuben and Sullivan L. Haines to raise a mill-dam across the Mackinaw river;"

"An act to amend an act concerning the right of way, and for other purposes;"

"An act to sell the property of Eliakim Russell;"

"An act supplemental to the act, entitled 'An act to define the extent of possession in cases of settlement on the public lands,' approved Feb. 27, 1837;" and

"An act to change an appropriation made to the county of Lawrence;"
Were severally read a second time, and
Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to establish the counties of Menard, Logan, and Dane," was read, and
Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Fletcher, Herndon, and Thomas, be that committee.

The bill from the House of Representatives, entitled "An act to authorize L. D. Hillerman to build a mill-dam across the Little Wabash river in Clay county," was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on Internal Improvements.

The bills from the House of Representatives, entitled

"An act declaring Mill and Big creeks navigable, in Clark county;"
and

"An act in relation to the town of Springfield ;"

Were severally read, and

Ordered to a second reading.

The bill from the House of Representatives, entitled "An act to incorporate the Elgin Academy," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act authorizing patents to be recorded and certain copies to be read in evidence," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to constitute the town of Manchester a justice's and constable's district," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Weatherford, Thomas, and Fletcher, be that committee.

The bill from the House of Representatives, entitled "An act to vacate the town plat of the town of Auburn," was read, and

Ordered to a second reading.

On motion of Mr. Mitchell,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to amend the act in relation to constables," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Murray,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act supplemental to an act, entitled 'An act to regulate the action of replevin,' approved January 29, 1827," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to prevent the circulation of bank notes of a less denomination than five dollars," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Hacker moved to refer the same to the committee on Internal Improvements; which was not agreed to.

On motion of Mr. Weatherford,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act concerning State roads;" was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ross, Johnston, and Warren, be that committee.

The bill from the House of Representatives, entitled "An act for the formation of Lake county," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Peck, Harrison, and Stadden, be that committee.

The bill from the House of Representatives, entitled "An act to authorize the county commissioners of Bond county to loan certain funds therein mentioned," was read, and

Ordered to a second reading.

On motion of Mr. Hunter,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to incorporate the Mount Carmel Female Seminary," was read, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on School Lands and Education.

The bill from the House of Representatives, entitled "An act to authorize James T. Gifford and Samuel S. Kimball to build a dam across Fox river," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Stadden, Weatherford, and Peck, be that committee.

The bill from the House of Representatives, entitled "An act supplementary to 'An act to incorporate the Alton Marine and Fire Insurance Company,'" was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Churchill, Moore, and Murray, be that committee.

The bill from the House of Representatives, entitled "An act to change part of the State road leading from Equality to Vienna," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

On motion of Mr. Gatewood,

Referred to a select committee of five.

Ordered, That Messrs. Gatewood, Witt, Gibbs, Hacker, and Johnston, be that committee.

The bill from the House of Representatives, entitled "An act to incorporate the Charleston Marine and Fire Insurance Company," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The reading of the same was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to establish the county of Hardin," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Witt, Gibbs, and Hacker, be that committee.

The bill from the House of Representatives, entitled "An act to define the bounds of Boone county," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Peck,

Referred to the same select committee to which was referred the bill in relation to Lake county.

The bill from the House of Representatives, entitled "An act to organize the county of Carroll," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Harrison, Richardson, and Stadden, be that committee.

The bill from the House of Representatives, entitled "An act to locate a State road from Mount Sterling, in Schuyler county, to Macomb, in McDonough county," was read, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Richardson, Warren, and Browning, be that committee.

The bill from the House of Representatives, entitled "An act to authorize the relocation of part of the State road leading from Stephenson to the mouth of Pickatonicka," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to incorporate the Hanover Academy," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to change an appropriation heretofore made to Clinton county," was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Salines and Saline Lands.

The bill from the House of Representatives, entitled "An act to regulate public carriages and the law of the road," was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee

Ordered, That Messrs. Blackwell, Herndon, and Churchill, be that committee.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 6, 1839.

Senate met pursuant to adjournment.

Mr. Servant presented the petition of the citizens of the town of Liberty, in the county of Randolph, praying for an increase of the corporate powers of said town; which was read, and,

On motion of Mr. Servant,

Referred to a select committee.

Ordered, That Messrs. Servant, Moore, and Wood, be that committee.

Mr. Blackwell presented the petition of Patty Sullivan, praying to be divorced from her husband Isaac Sullivan; which was read, and,

On motion of Mr. Witt,

Laid on the table.

Mr. Weatherford presented the remonstrance of fifty-two persons, citizens of Morgan county, against any change in the State road from Jacksonville to Vandalia within said county.

On motion of Mr. Weatherford,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Weatherford, O'Rear, and Thomas, be that committee.

Mr. Parrish presented the petition of 67 males and 24 females, citizens of Franklin county, praying for the repeal of all laws authorizing the sale of spirituous liquors.

On motion of Mr. Parrish,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed bills of the following titles, viz:

"An act to incorporate the Jefferson Institute;"

"An act repealing all laws in relation to a State road leading from William Crow's, in Morgan county, to Musick's bridge, in Sangamon county;"

"An act to change the name of the town of Leesburg;"

"An act concerning a State road in Wabash county;"

"An act to locate a State road from Napersville, in Cook county, to Indian creek, in McHenry county;"

"An act declaring the Mauvaise-terre creek a navigable stream;"

"An act to provide for securing, to mechanics and others, liens for the value of labor and materials;"

"An act to relocate the seat of justice in the county of Iroquois;"

"An act for the relief of trustees of schools in township six north, range eight west, in Madison county;"

"An act to locate the county seat of Whiteside county, and to provide for the election of county officers;"

"An act declaring Fox river, in White county, a navigable stream;" and

"An act to repeal 'An act to improve the navigation of the Big Vermilion.'"

In the passage of which several bills they ask the concurrence of the Senate.

They have concurred with the Senate in their amendments to the following bills:

"An act to authorize Ezra Baker, jr. and Henry I. Mills to erect a mill-dam across the Little Wabash river;"

"An act to create the county of Du Page;"

And also in their amendment to the title of the bill for "An act to incorporate the town of Fayette."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act to incorporate the Invincible Dragoons of the second division of Illinois militia;"

"An act for the relief of the securities of Thomas Moore;"

"An act to amend an act, entitled 'An act to incorporate the Canton College of Illinois;'"

"An act to amend an act, entitled 'An act authorizing a lottery to raise funds for the purpose of draining the ponds of the American bottom;'"

"An act to incorporate the Mississippi and Grand Tower Bridge Company;"

"An act to authorize Benjamin McKay and others to lay off additional lots in the town of Stephenson, in Rock Island county;"

"An act to vacate the plat of the town of Savannah, in Iroquois county;"

"An act supplemental to 'An act to incorporate the Rushville Railroad Company,' approved January 16, 1836;" and

"An act to amend an act, entitled 'An act concerning judgments and executions,' approved January 17, 1825."

Mr. Hackelton, from the same committee, afterwards reported that, on this day, they laid the above mentioned bills before the Council of Revision.

Mr. Davidson presented the petition of sundry citizens of White county, male and female, praying the repeal of laws licensing groceries.

On motion of Mr. Davidson,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Davidson, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the Union Agricultural Society," reported the same back without amendment, and recommended its passage.

Ordered to be engrossed and read a third time.

Mr. Harrison, from the committee on the Judiciary, to which was referred the petition of the Galena Chamber of Commerce, praying an act of incorporation, reported a bill for "An act to incorporate the Galena Chamber of Commerce;" which was read, and

Ordered to a second reading.

Mr. Little, from the committee on the Judiciary, to which was referred a bill for "An act relating to the appointment of clerks in the circuit courts of this State," reported the same back without amendment.

Mr. Witt moved to refer the same to a select committee of five; which was not agreed to.

Mr. Gatewood moved to amend the first section, by striking out the words "hereafter appointed;" which was agreed to.

Mr. Fletcher moved to lay the same on the table until the fifth day of July next.

On motion of Mr. Gatewood,

Said bill was referred to a select committee.

Ordered, That Messrs. Gatewood, Ross, and Witt, be that committee.

Mr. Little, from the same committee, to which was referred a bill for "An act to establish additional circuits in this State, and for other purposes," reported the same back with an amendment.

Mr. Peck moved to refer the bill and amendment to the select committee of ten to which was referred "An act dividing the State into judicial circuits."

Mr. Gatewood moved to amend said motion, by adding "and that said committee be instructed to report immediately;" which was agreed to.

And the question recurring on the reference,

It was decided in the affirmative.

Mr. Fithian, from the committee on Salines and Saline Lands, to which was referred a bill from the House of Representatives, entitled "An act to change an appropriation heretofore made to Clinton county," reported the same back without amendment, and recommended the passage of said bill.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Thomas, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to constitute the town of Manchester a justice's and constable's district," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence in the amendment to said bill.

Mr. Fletcher, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to establish the counties of Menard, Logan, and Dane," reported the same back with sundry amendments; which were read and concurred in.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of the same, and ask their concurrence in the amendments to said bill.

Mr. Servant, from the select committee to which was referred the petition of the citizens of the town of Liberty, praying an increase of the corporate powers of said town, reported a bill for "An act to increase the corporate powers of the town of Liberty;" which was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

On motion of Mr. Servant,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Mills, from the select committee to which was referred a bill for "An act to locate a State road therein named," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Weatherford, from the select committee to which was referred the petition of sundry citizens of Schuyler and Morgan counties, praying for a State road, &c., reported a bill for "An act to establish a State road from Mount Sterling, via La Grange, Arenz's mill, and Princeton, to Springfield;" which was read, and

Ordered to a second reading.

Mr. Churchill, from the select committee to which was referred a bill from the House of Representatives, entitled "An act supplementary to 'An act to incorporate the Alton Marine and Fire Insurance Company,'" reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

Mr. Ross, from the select committee to which was referred the petition of sundry citizens of Pike county, praying for the location of a State road, &c., reported a bill for "An act to establish a State road from Rushville,

in Schuyler county, to Pittsfield, in Pike county;" which was read, and *Ordered* to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Richardson, Ross, and Butler, be that committee.

Mr. Richardson, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to locate a State road from Mount Sterling, in Schuyler county, to Macomb, in McDonough county," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

Mr. Blackwell, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to regulate public carriages and the law of the road," reported the same back with sundry amendments; which were read and concurred in.

Ordered to a third reading, as amended.

Mr. Little, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Warsaw University of Illinois," reported the same back with sundry amendments; which were read and concurred in.

Ordered to a third reading, as amended.

Mr. Stadden, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to authorize James T. Gifford and Samuel S. Kimball to build dam across Fox river," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with;

Whereupon, Mr. Hacker, from committee on Internal Improvements, to which was referred a bill, entitled "An act further to amend the act, entitled 'An act to maintain a general system of Internal Improvements,'" reported a substitute for said bill; which was read.

Mr. Thomas moved to lay the said substitute on the table, and that the same be printed for the use of the Senate; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Churchill, Davidson, Fithian, Gibbs, Greer, Herndon, Hunter, Little, Moore, Monroe, Murray, Nunnally, Ross, Servant, Thomas, Turney, Weatherford, and Witt—20.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Gaston, Gatewood, Hacker, Hackelton, Hamlin, Harrison, Johnston, Mills, Mitchell, Parrish, Peck, Stadden, Warren, and Wood—17.

On motion of Mr. Gatewood,

Ordered, That the Secretary be directed to have the same printed at the office of the "Free Press."

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 7, 1839.

Senate met pursuant to adjournment.

Mr. Richardson, from the committee on Elections, reported a bill for "An act to authorize the Governor to commission the sheriff of Schuyler county;" which was read, and

Ordered to a second reading.

On motion of Mr. Richardson;

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Borough, from the committee on Public Roads, to which was referred a bill for "An act to define the manner of proceeding in petitioning the General Assembly for locating and altering State roads," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Mills, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Mount Carmel Female Seminary," reported the same back with sundry amendments; which were read and concurred in.

Ordered to a third reading.

Mr. Wood, from the committee on Petitions, to which was referred the petition of E. and S. S. Phelps, in relation to a ferry across the Mississippi river, reported a bill for "An act to authorize E. and S. S. Phelps to establish a ferry across the Mississippi river, at the town of Oquawka;" which was read, and

Ordered to a second reading.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Churchill, from the committee on School Lands and Education, to which was referred a bill for "An act to provide for the sale of school lands," reported the same back with an amendment; which was read and concurred in, and said bill

Ordered to be engrossed and read a third time.

Mr. Davidson, from the committee on the Judiciary, to which was referred a petition of sundry citizens of Fulton county, in relation to the law regulating interest, reported a bill for "An act to provide for the specific execution of contracts in relation to the payment of interest;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Witt, Wood, and Thomas, be that committee.

Mr. Richardson, from the select committee to which was referred a bill for "An act to establish a State road from Rushville, in Schuyler

county, to Pittsfield, in Pike county," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred in the amendments of the Senate to the bill from the House, entitled "An act to establish the counties of Menard, Logan, and Dane," as amended by them;

In which amendment of the House to the amendments of the Senate, they ask the concurrence of the Senate.

The House refuse to read a third time the bill from the Senate, entitled "An act to amend an act, entitled 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved Jan. 23, 1829."

The Council of Revision have returned to the House, with their objections, the bill for "An act to establish the county of Scott," and they have amended the same to obviate the objections of the Council, and repassed said bill.

In the repassage of which they ask the concurrence of the Senate. And he withdrew.

Mr. Stadden, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to relocate the seat of justice of Livingston county," reported the same back without amendment, and recommended the passage of said bill.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Peck, from the select committee to which was referred a bill for "An act dividing the State into judicial circuits," reported the same back with sundry amendments; which were read and concurred in.

Mr. Davidson moved to amend, by striking out so much of the bill and amendments as make any alteration in the fourth circuit; which was agreed to.

On motion of Mr. Thomas,

The two votes last given were reconsidered.

And the question recurring on the adoption of the amendments of the committee to said bill,

Mr. Thomas moved to amend, by "striking out all the bill except that which relates to the first, third, sixth, seventh, eighth, and ninth circuits;" which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hacker, Harrison, Hunter, Little, Mills, Mitchell, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Ross, Stadden, Thomas Turney, Warren, Weatherford, Witt, and Wood—29.

Those who voted in the negative, are,

Messrs. Allen, Borough, Butler, Gatewood, Hackelton, Hamlin, Hernndon, Johnston, Moore, Richardson, and Servant—11.

On the question—"Will the Senate concur with the committee in their amendments to the bill as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Gibbs, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Monroe, Murray, Nunnally, O'Rear, Richardson, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood—29.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Gatewood, Greer, Hacker, Hackelton, Hunter, Johnston, Moore, Parrish, and Peck—11.

Ordered to be engrossed as amended, and read a third time.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, entitled "An act to establish the counties of Menard, Logan, and Dane," was taken up, and the amendments of the House of Representatives, to the amendments of the Senate to said bill, were read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Witt,

The message from the House of Representatives containing the amendments of the House to the resolution from the Senate, in relation to the election of Canal Commissioners &c., was taken up;

And the question being upon concurring with the House of Representatives in their amendments to said resolution;

Mr. Hamlin called for a division of the question;

And the question being taken on concurring with the House of Representatives in striking out "twelve," and inserting "nine,"

It was decided in the negative.

Mr. Davidson called for a further division of the question;

And on the question being taken on concurring with the House of Representatives, in striking out "Fund Commissioners and Commissioners of Public Works."

It was decided in the negative.

And on the question—"Will the Senate concur with the House of Representatives in adding after the word "banks," "and also States' Attorneys for the third, fourth, and seventh judicial circuits?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Johnston, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act providing for the temporary appointment of an Attorney to prosecute in the second judicial circuit;" and

"An act regulating the time of holding the circuit courts in the second judicial circuit;"

In the passage of which they ask the concurrence of the Senate. And he withdrew.

The engrossed bill, entitled "An act to provide for a loan for canal purposes," was read a third time.

Mr. Gatewood moved to lay said bill on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Gaston, Gatewood, Gibbs, Hunter, Johnston, Mills, Murray, Nunnally, Parrish, and Wood—11.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Little, Mitchell, Moore, Monroe, O'Rear, Peck, Richardson, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, and Witt—28.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Monroe, O'Rear, Peck, Richardson, Ross, Stadden, Thomas, Turney, Weatherford, and Witt—29.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Hunter, Johnston, Moore, Murray, Nunnally, Parrish, Servant, Warren, and Wood—11.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bill, entitled "An act to amend an act, entitled 'An act for the relief of the poor,' approved March 1, 1833," was read a third time.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hamlin, Herndon, Hunter, Little, Mills, Murray, O'Rear, Ross, Servant, Stadden, Thomas, Turney, Weatherford, and Wood—24.

Those who voted in the negative, are,

Messrs. Allen, Hacker, Hackelton, Johnston, Mitchell, Moore, Monroe, Nunnally, Parrish, Richardson, Warren, and Witt—12.

The engrossed bill, entitled "An act to incorporate the Insurance and Trust Company of Illinois," was read a third time, and passed.

Mr. Servant moved to amend the title of said bill, so as to make it read "An act to incorporate the Kaskaskia Insurance Company;" which was agreed to.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The engrossed bills, entitled

"An act to provide for selling water-lots and privileges on the Illinois and Michigan canal;"

"An act to locate a certain State road therein named;"

"An act to authorize the county commissioners of Peoria county to change a State road;"

"An act to amend the act incorporating the New Canton and Piketon Railroad Company;"

"An act respecting section sixteen, in township two south, in range fourteen west, in Edwards county;"

"An act to incorporate Kane College;"

"An act supplementary to an act prescribing the mode of trying the right of property;"

"An act relating to service of process against corporations;"

"An act to amend an act to provide for the taking of the census or enumeration of the inhabitants of the State, approved Jan. 13, 1829;"

"An act to amend an act, entitled 'An act to incorporate the Jo Daviess Marine and Fire Insurance Company;'"

"An act to amend an act, entitled 'An act to locate a State road from the Indiana line northwest in a direction to Mineral Point;'"

"An act to locate a State road therein named;"

"An act authorizing the building of a bridge across the Des Plaines river;"

"An act to incorporate the Union Agricultural Society;"

"An act to incorporate the Shawneetown Academy, in Gallatin county;"

"An act to authorize the Governor to commission the sheriff of Schuyler county;"

"An act to amend the several laws in relation to the Illinois and Michigan canal;"

"An act to define the manner of proceeding in petitioning the General Assembly for locating and altering State roads;"

"An act in addition to the several acts authorizing and regulating the sale of school lands;" and

"An act to authorize A. and S. S. Phelps to establish a ferry across the Mississippi river, at the town of Oquawka;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

A bill for "An act to incorporate the Galena Chamber of Commerce," was read a second time, and,

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

A bill for "An act to establish a State road from Mount Sterling, via La Grange, Arenz's mill, and Princeton, to Springfield," was read a second time, and

Ordered to be engrossed and read a third time.

The bill from the House of Representatives, entitled "An act to sell the property of Eliakim Russell," was read a third time.

And on the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Gibbs, Hacker, Hackelton, Nunnally, Parrish, Peck, Ross, Stadden, Witt, and Wood—10.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Greer, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Murray, O'Rear, Servant Turney, Warren, and Weathferord—23.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled a bill for "An act to incorporate the Warsaw University of Illinois," was read a third time as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

The bills from the House of Representatives, entitled

"An act to legalize the sale of section sixteen in township nine north, range two east, in Knox county;"

"An act to legalize the acts of John Simpson, a justice of the peace in Johnson county;"

"An act in relation to the records of Johnson county;"

"An act to change the name of the town of Fairfield, in Adams county;"

"An act to authorize the county commissioners of Bond county to loan certain funds therein mentioned;"

"An act to authorize Reuben and Sullivan L. Haines to raise a mill-dam across the Mackinaw river;"

"An act to amend an act concerning the right of way, and for other purposes;"

"An act to change an appropriation made to the county of Lawrence;"

"An act to authorize the relocation of part of the State road leading from Stephenson to the mouth of the Pickatonicka;" and

"An act to incorporate the Hanover Academy;"

Were severally read a third time, and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 8, 1839.

Senate met pursuant to adjournment.

Mr. Allen presented the petition of sundry citizens of the counties of McLean and Macon, praying the formation of a new county; which was read, and,

On motion of Mr. Allen,

Referred to the committee on Petitions.

Mr. Harrison presented the petition of sundry citizens of McHenry, praying to be attached to Boone county.

On motion of Mr. Harrison,

The reading of the same was dispensed with, and referred to the same select committee to which was referred a bill to define the bounds of Boone county.

Mr. Peck presented the remonstrance of sundry citizens of McHenry on the same subject.

On motion of Mr. Peck.

The reading of the same was dispensed with, and referred to the same select committee.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill from the House of Representatives, entitled "An act to authorize L. D. Hillerman to build a mill dam-across the Little Wabash river in Clay county," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

Mr. Hacker, from the same committee, to which was referred "An act to provide for the distribution and application of certain funds heretofore appropriated to certain counties for purposes of internal improvement," reported the same back with an amendment; which was read and concurred in.

On motion of Mr. Witt,

Referred to a select committee.

Ordered, That Messrs. Witt, Thomas, and Stadden, be that committee.

Mr. Harrison, from the committee on the Judiciary, to which was referred a bill for "An act to regulate the compensation of sheriffs for carrying convicts to the Penitentiary," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Little, from the same committee, to which was referred a bill for "An act to incorporate the town of Bloomington," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Turney, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act authorizing patents to be recorded, and certain copies to be read in evidence," reported the same back without amendment, and recommended the rejection of said bill.

On motion of Mr. Browning,

Laid on the table until the fourth day of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Servant, from the committee on Military Affairs, reported a bill for "An act to incorporate the Liberty Steam Mill Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Gatewood, from the committee on School Lands and Education, to which was referred the petition of the inhabitants of township 7 north, range 7 east, in relation to certain lands, reported a bill for "An act to authorize the trustees of schools in township 7 north, range 7 east, to revalue the sixteenth section;" which was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Thomas, from the committee on the Judiciary, to which was referred the petition of the president and trustees of the town of Shawneetown, reported a bill for "An act for the relief of the trustees of Shawneetown;" which was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Turney, from the committee on the Judiciary, to which was referred "An act to incorporate the Illinois Steamboat Company," reported the same back without amendment, and recommended the rejection of said bill.

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative.

Mr. Gatewood, from the committee on School Lands and Education, to which was referred "An act to incorporate the Amity Academy, in Bond county, and the Lebanon Female Academy, in St. Clair county," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Browning, from the committee on the Judiciary, to which was referred "An act further to provide for the release and extension of mortgages," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to be engrossed and read a third time.

Mr. Thomas, from the same committee, to which was referred a bill for "An act to provide for the dedication of lots, in towns situated on canal

lands, to public purposes," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to be engrossed and read a third time.

Mr. Browning, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act to amend the acts in relation to constables," reported the same back with an amendment.

Mr. Johnston moved to lay the same on the table until the fourth day of July next.

Mr. Parrish moved to refer the same to a select committee; which was not agreed to,

And the question recurring upon the motion to lay on the table until the fourth day of July next,

It was decided in the negative.

Mr. Witt moved to strike out "2,000," and insert "1,000."

Mr. Thomas called for a division of the question.

And the question being taken upon striking out,

It was decided in the negative.

And the question recurring on concurring with the committee in their amendment to the bill,

It was decided in the affirmative.

And on the question—"Shall the bill be read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning Butler, Churchill, Fithian, Gaston, Greer, Hamlin, Harrison, Herndon, Little, Mitchell, Monroe, Murray, Peck, Richardson, Servant, Stadden, Thomas, Turney, and Weatherford—22.

Those who voted in the negative, are,

Messrs. Borough, Davidson, Fletcher, Gibbs, Hacker, Hackelton, Hunter, Johnston, Moore, Nunnally, O'Rear, Parrish, Ross, Warren, Witt, and Wood—16.

Mr. Thomas, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act to prevent the circulation of bank notes of a less denomination than five dollars," reported the same back with an amendment.

On motion of Mr. Hacker,

Said bill and proposed amendment were laid on the table.

Mr. Browning, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act for the relief of the settlers upon the public lands," reported the same back without amendment, and recommended the passage of said bill.

On the question—"Shall the bill be read a third time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Little, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act supplemental to an act, entitled 'An act to regulate the action of replevin,' approved January 29, 1827," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Harrison, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act to authorize Henry W. Cleveland to build a toll-bridge across the Winnebago swamp," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

Mr. Mills, from the committee on School Lands and Education, reported a bill for "An act to authorize the sale of school land in Edwards county;" which was read, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act regulating evidence in certain cases," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

Mr. Peck, from the committee on Finance, to which was referred a bill from the House of Representatives, entitled "An act concerning the public revenue of Knox county," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Little, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act supplemental to the act, entitled 'An act to define the extent of possession in cases of settlement on the public lands,' approved Feb. 27, 1837;" reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Browning, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Illinois Insurance Company," reported the same back with sundry amendments thereto.

On motion of Mr. Peck,

Said bill, together with the proposed amendments, was referred to a select committee.

Ordered, That Messrs. Peck, Stadden, and Browning, be that committee.

Mr. Hamlin, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to vacate certain alleys in the town of Tremont," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Mr. Thomas moved to amend the title of said bill, so as to make it read, "An act to provide for the vacation of town plats and for other purposes;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Ross, from the select committee to which was referred a bill for "An act relating to the appointment of clerks in the circuit courts of this State," reported the same back with an amendment.

Mr. Thomas moved to amend the amendment, by striking out the words "malfeasance in office," and insert "for good cause;" which was agreed to;

And the question recurring on the adoption of the amendment as amended,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs Allen, Blackwell, Borough, Churchill, Gatewood, Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Little, Mitchell, Nunnally, Parrish, Ross, Weatherford, and (there being a tie) Mr. Speaker—19.

Those who voted in the negative, are,

Messrs. Browning, Butler, Davidson, Fithian, Fletcher, Gaston, Greer, Hamlin, Harrison, Mills, Moore, Monroe, Murray, O'Rear, Stadden, Thomas, Warren, and Wood—18.

Mr. Herndon moved to lay the bill on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Monroe, Murray, O'Rear, Peck, Servant, Stadden, Thomas, and Wood—19.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Gaston, Gatewood, Hacker, Hackelton, Hunter, Johnston, Little, Mitchell, Moore, Nunnally, Parrish, Richardson, Ross, Turney, Warren, Weatherford, and Witt—21.

Mr. Richardson moved to reconsider the vote last given, upon laying said bill on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Butler, Churchill, Davidson, Fithian, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Moore, Monroe, Murray, Peck, Richardson, and Stadden—16.

Those who voted in the negative, are,
Messrs. Allen, Blackwell, Borough, Browning, Fletcher, Gaston, Gatewood, Hacker, Hackelton, Hunter, Johnston, Little, Mitchell, Nunnally, O'Rear, Parrish, Ross, Servant, Thomas, Turney, Warren, Weatherford, Witt, and Wood—24.

And on the question—"Shall the bill as amended be engrossed and read the third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Hunter, Johnston, Little, Mitchell, Moore, Nunnally, Parrish, Peck, Ross, Turney, Warren, Weatherford, and Witt—22.

Those who voted in the negative, are,

Messrs. Browning, Butler, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Herndon, Mills, Monroe, Murray, O'Rear, Richardson, Servant, Stadden, Thomas, and Wood—18.

Mr. Ross, from the select committee to which was referred a bill from the House of Representatives, entitled "An act concerning State roads," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Hackelton, from the select committee to which was referred the petition of Absalom Maxwell and others, in relation to a State road in Fulton county, reported a bill for "An act concerning a State road in Fulton county;" which was read, and

Ordered to a second reading.

On motion of Mr. Hackelton.

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Gatewood, from the select committee, to which was referred the petition of the trustees of the town of Shawneetown, praying for the increase of corporate powers," reported a bill for "An act to extend the powers of the corporation of Shawneetown;" which was read, and

Ordered to a second reading.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Gibbs moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That a select committee be appointed to inquire into the expediency of improving the navigation of Cash river, through Alexander and Johnson counties; and also the navigation of the Big Bay river, in Pope county; and whether said rivers are not justly entitled to be included in the streams whose navigation is to be improved under the law to provide for a system of Internal Improvements in this State.

A message from the Governor, by Mr. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Greer moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate, the House of Representatives concurring herein, That for the purpose of ascertaining the best mode of improving the navigation of the Embarrass river, and the probable cost thereof, the Board of Commissioners of Public Works be, and they are hereby, required to cause a survey and examination of said river, from its mouth up to Norfolk's mill, in Coles county, and make a report thereof to the next General Assembly of this State.

Mr. Witt, on leave given, introduced a bill for "An act to incorporate the New Greenfield Hotel Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Weatherford,

Referred to the committee on the Judiciary.

Mr. Allen, on leave given, introduced a bill for "An act in relation to the county of Macon;" which was read, and

Ordered to a second reading.

On motion of Mr. Allen,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Thomas, on leave given, introduced a bill for "An act fixing the time of holding the circuit courts;" which was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

On motion,

The Senate adjourned.

SATURDAY, FEBRUARY 9, 1839.

Senate met pursuant to adjournment.

Mr. Allen presented the remonstrance of sundry citizens of McLean and Macon counties, against any division of said counties.

On motion of Mr. Allen,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Johnston presented the petition of 316 citizens of Jefferson county, praying that the Central railroad may be located through Salem, Mount Vernon, and Frankfort.

On motion of Mr. Johnston,

The reading of the same was dispensed, and referred to the committee on Internal Improvements.

Mr. Mitchell presented the petition of 94 citizens, male and female, of the counties of Macon, McLean, and Tazewell, on the subject of intemperance.

On motion of Mr. Mitchell,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Monroe presented the petition of sundry citizens of Clark county, praying that a part of the Internal Improvement fund appropriated to said county be expended on the road from Charleston to York, and for other purposes.

On motion of Mr. Monroe,

The reading of the same was dispensed with, and referred to the committee on Internal Improvements.

Mr. Hacker, from the committee on Internal Improvements, made the following report, viz:

The committee on Internal Improvements, to which were referred sundry petitions of the people of the counties of White, Gallatin, Wayne, Edwards, Clay, Effingham, and Shelby, on the subject of an appropriation for the Little Wabash, together with a bill on the same subject, report them back, and ask to be discharged from the further consideration of the subject.

The same committee report back a resolution on the subject of constructing a railroad from Rushville to the Illinois river.

The same committee ask to be discharged from the further consideration of a resolution in relation to the prompt execution of the work, by the Board of Public Works, on the rivers.

The same committee ask to be discharged from the further consideration of a resolution requiring the work hereafter to be done on the railroads in a continuous line.

The same committee ask to be discharged from the further consideration of the resolution requiring a change in the Mount Carmel and Alton railroad, as lies between Carlyle and Edwardsville.

The same committee ask to be discharged from the further consideration of a communication from the Board of Public Works on the subject of the Bloomington, Peoria and Pekin railroad.

Also the petition of the citizens of Maysville, asking the privilege for L. D. Hilerman the right to build a mill-dam across the Little Wabash river.

Which was read and concurred in; and,

On motion of Mr. Witt,

The several papers referred to in said report were laid on the table.

Mr. Witt, from the select committee to which was referred a bill for "An act to provide for the specific execution of contracts in relation to the payment of interest," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Ross, from the select committee to which were referred the petitions of sundry citizens of the counties of Morgan and Pike, praying an appropriation for the improvement of the road from Winchester to Pittsfield, reported a bill for "An act making a certain appropriation for the im-

improvement of the State road from Winchester, in Morgan county, to Pittsfield, in Pike county;" which was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ross, Thomas, and Weatherford, be that committee.

Mr. Servant moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the use of the Senate Chamber be granted to Doctor B. A. Parnell, this evening, for the purpose of delivering a lecture on physical education.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and said resolution taken up, read, and adopted.

Mr. Thomas, on leave given, introduced a bill for "An act to incorporate the Exeter Manufacturing Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Davidson made the following report, viz:

In compliance with a resolution adopted by the Senate on the 6th inst., requesting the chairman of the committee on the Judiciary to inquire of the Judges of the Supreme Court, whether, in their opinion, the public interest would be promoted by the establishment of a public library at the seat of Government, I addressed a note to the Judges, making the inquiry as directed in said resolution, and have received in answer the following reply: [Reply not on the manuscript journal.]

Which was read, and,

On motion of Mr. Witt,

Laid on the table.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the engrossed bill, entitled "An act making an appropriation for a library for the use of the Legislature and Supreme Court," was taken up,

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Gatewood, Gibbs, Greer, Hamlin, Herndon, Little, Mitchell Monroe, O'Rear, Peck, Richardson, Ross, Servant, Stadden, Thomas, Turney, and Weatherford—23.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Fithian, Fletcher, Hacker, Hackelton, Johnston, Mills, Moore, Murray, Nunnally, Parrish, Warren, Witt, and Wood—15.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Richardson, on leave given, introduced a bill for "An act to incorporate the town of Rushville;" which was read, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Speaker announced that the two last communications from the Governor were upon executive business.

Whereupon, the doors were closed;

And upon the opening of the doors,

The resolution offered by Mr. Blackwell, in relation to the term of office of the Secretary of State, was read and adopted.

The resolution offered by Mr. Greer, in relation to the Embarrass river, was read and adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The resolution offered by Mr. Gibbs, in relation to the improvement of the navigation of Big river, &c., was read.

Whereupon, Mr. Servant moved to amend, by inserting, after the word "county," the words "and St. Mary's river, in the counties of Randolph and Perry."

Mr. Hacker moved to amend the amendment, by adding, "and Clear creek, in Union and Alexander counties;" which was agreed to.

Mr. Witt moved further to amend the amendment, by adding, "Maccoupin and Apple creeks, in Greene county;" which was agreed to.

Mr. Monroe moved further to amend, by adding, "and all other rivers and creeks in the State susceptible of navigation;" which was agreed to.

And the question recurring on the adoption of the amendment as amended,

It was decided in the affirmative.

Mr. Witt moved to refer the same to a select committee of five.

Mr. Hacker moved to refer the said resolution, as amended, to the committee on Internal Navigation; which, being first put, was decided in the affirmative.

The preamble and resolutions offered by Mr. Monroe, in relation to the distribution of the proceeds of the sales of the public lands among the several States, were read, and,

On motion of Mr. Monroe,

Referred to a select committee.

Ordered, That Messrs. Monroe, Thomas, and Gatewood, be that committee.

On motion of Mr. Parrish,

The bill for "An act to amend an act regulating mills and millers," some days since laid on the table, was taken up.

Mr. Parrish moved to amend, by striking out the word "per," in the tenth line, and insert "house;" which was agreed to.

Whereupon, Mr. Thomas moved to lay said bill on the table until the fourth day of July next; which was decided in the affirmative.

The engrossed bill, entitled "An act dividing the State into judicial circuits," was read a third time.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fletcher, Gibbs, Hamlin, Little, Mitchell, Monroe, Nunnally, O'Rear, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, and Witt—21.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Fithian, Greer, Hacker, Hackelton, Johnston, Mills, Moore, Murray, Parrish, Peck, Richardson, and Wood—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bills, entitled

"An act to establish a State road from Rushville, in Schuyler county, to Pittsfield, in Pike county;" and

"An act to establish a State road from Mount Sterling, via La Grange, Arenz's mills, and Princeton, to Springfield;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The engrossed bill, entitled "An act relating to the appointment of clerks of the circuit courts of this State," was read a third time.

Whereupon, Mr. Davidson moved to amend, by striking out "forty." and inserting "forty-two."

Mr. Hacker moved to lay said bill on the table.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the motion of Mr. Hacker, to lay on the table a bill for "An act relating to the appointment of clerks of the circuit courts of this State," which was pending at the time of adjournment,

Mr. Hacker withdrew his motion.

Whereupon, Mr. Davidson withdrew his motion to amend; and

Mr. Ross moved to amend, by striking out the word "forty," and inserting "forty-one;" which was not agreed to.

Mr. Herndon moved to amend said bill, by adding the following proviso, viz:

Provided, however, That nothing herein contained shall be so construed that will give any of the present judges, who may be elected to any other office during the present session, the power of appointing or removing any clerk; nor shall any person who may be elected judge at the present session have the power to remove any of the present clerks until after the year 1844; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Fithian, Gibbs, Greer, Hackelton, Hamlin, Harrison, Herndon, Monroe, Murray, Nunnally, O'Rear, Peck, Richardson, Servant, Stadden, Thomas, and Wood—19.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Davidson, Fletcher, Gatewood, Hacker, Johnston, Little, Mills, Mitchell, Moore, Parrish, Ross, Warren, Weatherford, and Witt—18.

Mr. Hamlin moved to lay the same on the table until the fourth day of July next; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Davidson, Fithian, Fletcher, Gaston, Greer, Hamlin, Harrison, Herndon, Mills, Mitchell, Moore, Murray, O'Rear, Richardson, Servant, Stadden, Thomas, and Wood—20.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Gatewood, Gibbs, Hacker, Hackelton, Johnston, Little, Monroe, Nunnally, Parrish, Peck, Ross, Turney, Warren, Weatherford, and Witt—19.

The engrossed bill, entitled "An act concerning a State road in the county of Fulton," was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The bill from the House of Representatives, entitled "An act to regulate public carriages and the law of the road," was read a third time, as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence in the amendments to said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of the following bills, viz:

"An act to vacate the survey and plat of the sub-division of block forty-one, in the town of Monmouth;"

"An act to establish a State road from Beardstown to Manchester;"

"An act for the relief of the judge of the sixth judicial circuit of the State of Illinois;"

"An act to amend the several acts incorporating the town of Galena;"

"An act to amend an act concerning justices of the peace and constables, approved Feb. 3, 1827;"

"An act to incorporate the Central Seminary of Illinois;"

"An act supplemental to an act, entitled 'An act to erect certain bridges,' approved Jan. 22, 1831;"

"An act regulating the salaries of the Judges of the Supreme Court;"

"An act to relocate part of a State road in Franklin county;"

"An act to authorize the county commissioners' court of Randolph county to change and alter State roads in said county;"

"An act laying out a State road in Alexander county;"

"An act to authorize Philip Jarboe and Harvey M. Jarboe to establish a ferry across the Illinois river;"

"An act appointing an additional notary public for the county of Hancock;"

"An act of incorporation for the Upper Alton Manufacturing Company;"

"An act to incorporate New Haven, in Gallatin and White counties;"

"An act making an appropriation to enclose the graves of deceased State officers, in the town of Vandalia;" and

"An act to incorporate the Edwardsville Steam Mill Company."

And he withdrew.

The bills from the House of Representatives, entitled

"An act to vacate the town plat of the town of Auburn;" and

"An act to incorporate the Elgin Academy;"

Were severally read a third time, and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Gaston moved to reconsider the vote, taken this day, on laying on the table, until the fourth day of July next, a bill for "An act relating to the appointment of clerks of the circuit courts of this State."

On motion,

The Senate adjourned.

MONDAY, FEBRUARY 11, 1839.

Senate met pursuant to adjournment.

Mr. Allen presented the petition of sundry citizens of McLean and Macon counties in favor of the division of said counties.

On motion of Mr. Allen,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Warren presented the petition of sundry citizens of Shelby county, praying for a State road from Charleston, in Coles county, via Shelbyville, to Decatur, in Macon county.

On motion of Mr. Monroe,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Monroe, Warren, and Nunnally, be that committee.

Mr. Harrison presented the petition of sundry citizens of Rock Island county, praying for the incorporation of the Rock Island Mutual Fire Insurance Company.

On motion of Mr. Harrison,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Harrison, Davidson, and Servant, be that committee.

Mr. Peck presented three several petitions of the contractors on the Illinois and Michigan canal, relating to certain matters therein contained.

On motion of Mr. Peck,

The reading of the same was dispensed with, and referred to the committee on Canals and Canal Lands.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have adopted bills of the following titles, viz:

"An act to change part of a State road therein named;"

"An act to incorporate the Des Moines Rapids Railroad Company;"

"An act to add range one to the counties of Marshall and Putnam;"

"An act to review and relocate a part of the State road leading from Springfield to Decatur;"

"An act to incorporate the Genesee Manual Labor High School;"

"An act to extend the jurisdiction of justices of the peace;"

"An act to provide for the probate of wills in certain cases;"

"An act to incorporate the Wapello Manufacturing Company;"

"An act to locate a State road from Jonesboro, in Union county, to William I. Ryburn's, in Franklin county;"

"An act to locate and establish certain State roads in Peoria and Knox counties;"

"An act concerning the road from Warsaw to Quincy;"

"An act to authorize Amzi Doolittle to keep a ferry across the Mississippi river;"

"An act supplemental to 'An act to authorize Ezra Baker, jr. to erect a mill-dam near Coffee Island, on the Great Wabash river;'"

"An act to change the name of the town of Mechanicsburg, in St. Clair county;"

"An act to extend the corporate powers of the town of Pekin;"

"An act to authorize the clerk of the Madison circuit court to procure the rebinding of certain records;"

"An act to regulate interest on Auditor's warrants;" and

"An act to amend the several laws in this State regulating elections;"

In the passage of which several bills they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of a bill, entitled "An act to prohibit betting on elections."

They have also concurred with the Senate in the passage of bills, entitled

"An act to amend an act, entitled 'An act regulating elections,' in force June 1, 1829;"

"An act to incorporate the Mount Vernon Academy;" and

A bill for "An act providing for the improvement of certain roads in Edgar county," as respectively amended by them.

In which amendments they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bill, entitled "An act to change the name of the town of Savannah;"

And have amended the title of the same, by adding the words "in the county of Warren."

In which amendment they ask the concurrence of the Senate.

They have likewise concurred with the Senate in the passage of the bill, entitled "An act to provide for the appointment of additional judges of elections in Coles county," as amended by them.

They also amend the title of said bill, by adding the words "and other counties."

In which amendments to said bill and title they also ask the concurrence of the Senate. And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

A bill for "An act to amend an act, entitled 'An act forming an additional justice's district in the county of Randolph;'"

"An act for the relief of the inhabitants of township number two south, range eight east, in Wayne county;"

"An act to change a certain State road in Morgan county;"

"An act to change the name of the town of Charleston, in the county of Kane, to that of St Charles;"

"An act in relation to garnishees;"

"An act for the relief of the heirs of John Thompson, deceased;"

"An act to create the county of Du Page;"

"An act to provide for certain improvements in Pike county."

And the resolutions requiring the Engrossing Clerks to make out a sufficient number of copies of resolutions and memorials intended to be transmitted to our members in Congress, &c.

Mr. Hackelton, afterwards, from the same committee, reported that, on Saturday, they laid the above mentioned bills before the Council of Revision.

Mr. Johnston presented the petition of ninety-one citizens of Jefferson county, praying that the location of the Central railroad may be made through Salem, Mount Vernon and Frankfort.

On motion of Mr. Johnston,

The reading of the same was dispensed with, and referred to the committee on Internal Improvements.

Mr. Peck presented the petition of sundry citizens of Cook county, praying that foreign banks, in good standing, may be permitted to establish agencies at Chicago; which was read, and,

On motion of Mr. Borough,

Referred to the committee on Finance.

Mr. Peck presented four additional petitions of the citizens of Cook county, on the same subject, and,

On motion of Mr. Peck,

The reading of the same was dispensed with, and referred to the same committee.

Mr. Monroe moved that said committee be instructed to report a bill; which was not agreed to.

Mr. Little, from the committee on the Judiciary, to which was referred a bill from the House of Representative, entitled "An act to incorporate the Illinois Mutual Fire Insurance Company," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading.

Mr. Little, from the same committee, to which was referred a resolution instructing said committee to inquire into the expediency of limiting

by law the term of service of the Secretary of State, and also that of clerks of the circuit courts," reported a bill, entitled a bill for "An act to limit the term of office of the Secretary of State;" which was read, and

Ordered to a second reading.

Mr. Peck moved to dispense with the rule, and read the bill a second time by its title; which was not agreed to.

Mr. Harrison, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to organize the county of Carroll," reported the same back with sundry amendments thereto; which were read and concurred in.

Ordered, as amended, to a third reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

Mr. Monroe, on leave given, introduced a bill for "An act to apply a part of an appropriation, heretofore made to Clark county, to the improvement of the road from York to the county line of Clark;" which was read, and

Ordered to a second reading.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Improvements.

Mr. Murray, on leave given, introduced a bill for "An act to encourage the culture of silk;" which was read, and

Ordered to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Finance.

Mr. Witt, on leave, introduced a bill for "An act to distribute the interest on certain funds;" which was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Peck, on leave given, introduced a bill for "An act relating to common schools in the city of Chicago;" which was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Little, on leave given, introduced a bill for "An act in relation to the resident land tax of Hancock county;" which was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Finance.

Mr. Thomas, on leave given, introduced a bill for "An act supplemental to the act incorporating the Beardstown and Sangamon Canal Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Fletcher, Thomas, and Allen, be that committee.

On motion of Mr. Turney,

The bill, entitled "An act to authorize the county commissioners courts to recover certain moneys by them heretofore loaned," contained in the message from the House of Representatives some days since, was taken up; and the amendments of the House of Representatives to said bill read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Little,

The bill some days since laid on the table, entitled "An act defining and regulating proceedings in the action of ejectment," was taken up, and,

On motion of Mr. Ross,

Referred to the committee on the Judiciary.

On motion of Mr. Thomas,

The bill some days since laid on the table, entitled "An act to amend the act, entitled 'An act declaring what shall be evidence in certain cases,' approved Jan. 10, 1829," was taken up, and,

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Hacker being in the chair;

On motion of Mr. Servant,

The Senate took a recess until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met.

The question recurring on the question, which was pending at the time of adjournment on yesterday, on reconsidering the vote taken upon laying on the table, until the 4th day of July next, "An act relating to the appointment of clerks of the circuit courts of this State," it was decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Allen, Borough, Churchill, Gaston, Gatewood, Hacker, Hackelton, Johnston, Little, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Ross, Turney, Warren, Weatherford, (and there being a tie) Mr. Speaker—20.

Those who voted in the negative, are,
Messrs. Blackwell, Browning, Butler, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Moore, Murray, O'Rear, Servant, Stadden, Thomas, and Wood—19.

Mr. Hacker moved to refer the same to a select committee; which was not agreed to.

Mr. Monroe moved to reconsider the vote taken yesterday on the adoption of the amendment to said bill by Mr. Herndon; which was decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Allen, Blackwell, Borough, Churchill, Fithian, Gaston, Gatewood, Hacker, Hackelton, Johnston, Little, Mitchell, Monroe, Nunnally, Parrish, Ross, Turney, Warren, Weatherford, (and there being a tie) Mr. Speaker—20.

Those who voted in the negative, are,
Messrs. Browning, Butler, Davidson, Fletcher, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Moore, Murray, O'Rear, Peck, Richardson, Servant, Stadden, Thomas, and Wood—19.

Mr. Richardson moved to lay the same on the table until the 4th day of July next.

On motion,
The Senate adjourned.

TUESDAY, FEBRUARY 12, 1839.

Senate met pursuant to adjournment.

Mr. Warren presented the petition of sundry citizens of Shelby county, asking for a State road from Shelbyville to Decatur.

On motion of Mr. Warren,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Warren, Allen, and Nunnally, be that committee.

Mr. Peck presented the petition of the members of the Baptist church and others in the city of Chicago, praying the grant of a certain lot of land therein mentioned.

On motion of Mr. Peck,

The reading of the same was dispensed with, and referred to the committee on Canals and Canal Lands.

Mr. Stadden, from the committee on Canals and Canal Lands, to which was referred a petition of the citizens of La Salle county, asking the sale of certain canal land, reported a bill for "An act making further provision for the sale of canal lands;" which was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled:

"An act to change an appropriation made to the county of Lawrence;"

"An act to change the name of the town of Fairfield, in Adams county;"

"An act to legalize the sale of section sixteen in township nine north, range two east, in Knox county;"

"An act to legalize the acts of John Simpson, a justice of the peace in Johnson county;"

"An act to change an appropriation heretofore made to Clinton county;"

"An act to authorize the county commissioners of Bond county to loan certain funds therein mentioned;"

"An act supplemental to an act, entitled 'An act to regulate the action of replevin,' approved January 29, 1827;"

"An act to authorize the relocation of part of the State road leading from Stephenson to the mouth of the Pickatonicus;"

"An act to incorporate the Hanover Academy;"

"An act in relation to the records of Johnson county;"

"An act to amend an act concerning the right of way, and for other purposes;"

"An act to authorize Ezra Baker, jr. and Henry I. Mills, to erect a mill-dam across the Little Wabash river;"

"An act to incorporate the town of Warsaw;"

"An act to incorporate the Edwardsville Steam Mill Company;"

"An act appointing an additional notary public for the county of Hancock;"

"An act to relocate part of a State road in Franklin county;"

"An act making an appropriation to enclose the graves of deceased State officers, in the town of Vandalia;"

"An act laying out a State road in Alexander county;"

"An act to vacate the survey and plat of the sub-division of block forty-one, in the town of Monmouth;"

"An act to establish a State road from Beardstown to Manchester;"

"An act regulating the salaries of the Judges of the Supreme Court;"

"An act to amend an act concerning justices of the peace and constables,' approved February 3, 1827;"

"An act to authorize the county commissioners' court of Randolph county to change and alter State roads in said county;"

"An act supplemental to an act, entitled 'An act to erect certain bridges,' approved January 22, 1831;" and

"An act for the relief of the sixth judicial circuit of the State of Illinois."

Mr. Hackelton, from the same committee, reported that, on this day, they laid the above mentioned bills before the Council of Revision.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved the following acts, viz:

"An act to provide for certain improvements in Pike county;" and

"An act to amend an act entitled 'An act forming an additional justice's district in the county of Randolph.'"

And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in their amendments to the bills from the House, entitled

"An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions and for avoiding vexatious law suits,'" and

"An act to repeal part of 'An act to incorporate the city of Chicago.'"

And he withdrew.

Mr. Browning, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Charleston Marine and Fire Insurance Company," reported the same back with several amendments thereto; which were read and concurred in.

Ordered to a third reading, as amended.

Mr. Peck, from the committee on Finance, to which was referred a bill for "An act in relation to the resident land tax of Hancock county," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Weatherford moved the adoption of the following preamble and resolution, which lie one day on the table, viz:

Whereas there are conclusive reasons for remedying the defects which are admitted to exist in the Constitution of this State; and *whereas* there would be a full and equal representation of the whole State, as the Convention to be holden, if called, would not be held before the next apportionment; therefore,

Be it resolved by the General Assembly of Illinois, That it be recommended to the electors of this State, to vote for or against a Convention to amend the Constitution thereof, at the next general election for members to the General Assembly.

Mr. Herndon moved the adoption of the following resolution, which lies on the table one day, viz:

Resolved by the Senate and House of Representatives, That the two Houses will meet in the Hall of the House of Representatives on Saturday the 16th inst., at 10 o'clock, A. M., for the purpose of electing a President of the Board of Canal Commissioners, an Acting Canal Commissioner, and Treasurer of said Board; members of the Board of Public Works in the first, second, third, fourth, fifth, sixth, and seventh circuits; three Fund Commissioners; and Directors, on the part of the State, in the State Bank of Illinois, and Bank of Illinois; also Circuit Attorneys in the circuits.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and said resolution taken up and read.

Mr. Turney moved to amend, by striking out "circuit," before the word "Attorney," and insert the word "State's;" which was agreed to.

Mr. Hacker moved to fill the blank with the words, "third, fourth, and seventh;" which was agreed to.

Mr. Churchill moved to amend, by striking out the words "members," and insert "Commissioners;" which was decided in the affirmative.

And the resolution, as amended, was adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Hamlin, on leave given, introduced a bill for "An act to amend 'An act to extend the corporate powers of the town of Peoria,' approved Feb. 27, 1837;" which was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Thomas, on leave given, introduced a bill for "An act to provide for an increase of facilities in procuring laborers on the public works;" which was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Improvements.

Mr. Parrish, on leave given, introduced a bill for "An act to improve the navigation of Big Muddy river;" which was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Navigation.

The question recurring on the question pending at the time of adjournment on yesterday, which was upon laying on the table, until the fourth day of July next, "An act relating to the appointment of clerks of the circuit courts of this State,"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Moore, Monroe, Murray, O'Rear, Richardson, Servant, Stadden, Thomas, and Wood—20.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Gaston, Gatewood, Hacker, Hackelton, Hunter, Johnston, Little, Mitchell, Nunnally, Parrish, Peck, Ross, Turney, Warren, Weatherford, Witt, and (there being a tie) Mr. Speaker—21.

Mr. Browning moved to refer the same to the committee of the Whole, and make it the order of the day for some day after to-day; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Moore, Monroe, Murray, O'Rear, Richardson, Servant, Stadden, Thomas, and Wood—20.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Gaston, Gatewood, Hacker, Hackelton, Hunter, Johnston, Little, Mitchell, Nunnally, Parrish, Peck, Ross, Turney, Warren, Weatherford, Witt, and (there being a tie) Mr. Speaker—21.

And the question recurring on the adoption of the amendment proposed by Mr. Herndon,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Moore, Murray, O'Rear, Peck, Richardson, Servant, Stadden, Thomas, and Wood—20.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Gaston, Gatewood, Hacker, Hackelton, Hunter, Johnston, Little, Mitchell, Monroe, Nunnally, Parrish, Ross, Turney, Warren, Weatherford, Witt, and (there being a tie) Mr. Speaker—21.

Mr. Davidson moved to lay the same on the table; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Moore, Monroe, Murray, O'Rear, Peck, Richardson, Servant, Stadden, Thomas, and Wood—21.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Gaston, Gatewood, Hacker, Hackelton, Hunter, Johnston, Little, Mitchell, Nunnally, Parrish, Ross, Turney, Warren, Weatherford, and Witt—19.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The engrossed bills, entitled

"An act further to provide for the release and extinction of mortgages;"

"An act to incorporate the town of Bloomington;"

"An act to incorporate the Amity Academy, in Bond county, and the Lebanon Female Academy, in St. Clair county;" and

"An act for the relief of the trustees of Shawneetown;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, and the bill from the House

of Representatives, entitled "An act regulating the time of holding the circuit courts in the second judicial circuit," was taken up, and read, and *Ordered* to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Murray, Wood, and Servant, be that committee.

The engrossed bills, entitled

"An act in relation to the county of Macon ;"

"An act to authorize the sale of school lands in Edwards county ;"

"An act to provide for the dedication of lots, in townships situated on canal lands, to public purposes ;"

"An act to authorize the trustees of schools in township 7 north, range 7 east, to revalue the sixteenth section ;"

"An act to extend the powers of the corporation of Shawneetown ;"

and

"An act to provide for the specific execution of contracts in relation to the payment of interest ;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The engrossed bill, entitled "An act to regulate the compensation of sheriffs for conveying convicts to the Penitentiary," was read a third time, and,

On motion of Mr. Thomas,

Laid on the table.

A bill, entitled "An act to limit the term of office of the Secretary of State," was read a second time, and,

On motion of Mr. Wood,

Laid on the table.

The bill from the House of Representatives, entitled "An act concerning State roads," was read a third time, and,

On motion of Mr. Ross,

Laid on the table.

The bill from the House of Representatives, entitled "An act to amend the acts in relation to constables," was read a third time, as amended ;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Gaston, Greer, Hamlin, Little, Mills, Mitchell, Monroe, Peck, Servant, Stadden, Thomas, Turney, and Weatherford—18.

Those who voted in the negative, are,

Messrs. Borough, Gibbs, Hacker, Hackelton, Harrison, Hunter, Johnston, Moore, Murray, Nunnally, Parrish, Ross, Warren, and Wood—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments thereto.

The bills from the House of Representatives, entitled
"An act supplementary to 'An act to incorporate the Alton Marine and Fire Insurance Company;'"

"An act to incorporate the Mount Carmel Female Seminary;"

"An act to authorize L. D. Hillerman to build a mill-dam across the Little Wabash river, in Clay county;" and

"An act to incorporate the Illinois Mutual Fire Insurance Company;"

Were severally read a third time as amended, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the several amendments to said bills.

The bills from the House of Representatives, entitled

"An act concerning the public revenue of the county of Knox;"

"An act to locate a State road from Mount Sterling, in Schuyler county, to Macomb, in McDonough county;"

"An act supplemental to the act, entitled 'An act to define the extent of possession in cases of settlement on the public lands,' approved Feb. 27, 1837;" and

"An act to authorize James T. Gifford and Samuel S. Kimball to build a dam across Fox river;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act declaring Mill and Big creeks navigable, in Clark county," was read a second time, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act in relation to the town of Springfield," was read the second time, and

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bills, entitled

"An act to provide for the appointment of additional judges of elections in Coles county;"

"An act to amend an act, entitled 'An act regulating elections,' in force June 1, 1829;"

"An act to change the name of the town of Savannah;" and

"An act to incorporate the Mount Vernon Academy," as amended by the House of Representatives, were taken up, and

The amendments of the House of Representatives to said bills were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill, entitled "An act providing for the improvement of certain roads in Edgar county," was taken up, and,

On the question—"Will the Senate concur with the House of Representatives in their amendments to said bill?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to establish the county of Scott," together with the objections of the Council of Revision, was taken up, and,

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, O'Rear, and Weatherford, be that committee.

The message from the House of Representatives, containing the resolution in relation to binding the reports of either or both Houses in a separate volume, &c. was taken up, and said resolution read and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

Also the resolutions in relation to the appointment of a joint select committee to investigate the State Bank of Illinois, &c.; which was read.

Mr. Servant moved to lay the same on the table; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Hacker, Hamlin, Harrison Mills, Mitchell, Monroe, O'Rear, Servant, Thomas, Turney, and Wood—19.

Those who voted in the negative, are,

Messrs. Gibbs, Greer, Hackelton, Herndon, Hunter, Johnston, Little, Moore, Nunnally, Parrish, Peck, Richardson, Ross, Stadden, Warren, and Weatherford—16.

Also the preamble and resolutions relative to a junction of the railroad in Illinois with the Cincinnati and Charleston railroad and the Iron Mountain railroad, in Missouri; which preamble and resolutions were read, and,

On motion of Mr. Browning,

Laid on the table.

The message from the House of Representatives, containing the preamble and resolutions in relation to the deposite of the public money without the limits of the State of Illinois, was taken up.

Mr. Borough moved to lay the same on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Hackelton, Herndon, Peck, Turney, Warren, and Weatherford—8.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hacker, Hamlin, Harrison, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Parrish, Ross, Servant, Stadden, Thomas, and Wood—26.

Mr. Herndon moved to amend said preamble and resolution, by adding the following, viz:

Resolved, however, If the State Bank has conducted its affairs as herein set forth, she does not deserve the favors asked for in these resolutions, nor does she deserve public confidence.

1. That she has been in the habit of confining her accommodations to but comparatively few, in proportion to the amount which she has discounted upon notes, bills of exchange, &c.; that those loans and accommodations have been confined principally to Bank directors and their immediate friends, relatives, and to land speculators within this State, as well as to those living in Philadelphia, New York, and other cities without this State, to the exclusion of a large portion of our own citizens.

2. That she has been in the practice of forcing the producers of lead within the Galena district to ship their lead to the house of Messrs. Godfrey, Gilman, & Co., of Alton, Illinois, or withheld from them accommodations which they could not do without, without experiencing great loss to themselves.

3. That she did make large and extensive loans to a few persons in Springfield, the last year past, for the purpose of purchasing pork; these few were Bank directors and their immediate relatives, thereby giving the whole control of the pork trade to them, to the great injury of the people of that section of country.

4. That she has by rule, or resolution, excluded several classes of our citizens from a participation in Bank accommodations; which rule or resolution is contrary to the spirit of her charter.

Resolved, That a joint select committee of five members, consisting of two from the Senate and three from the House of Representative, be appointed, with full power to investigate the truth or falsity of the objections set forth in these resolutions; that said committee be instructed to take a copy of the most important transactions of said Bank, particularly those in relation to the loans to Bank directors; that they report the same to this Legislature, and make report, at as early a day as possible, to the General Assembly, and to our Senators and Representatives in Congress.

Resolved, That we have the most implicit confidence in the good management of the Bank of Illinois; that the impartial manner in which its affairs have been conducted, entitles it to the fostering care of all good citizens.

Mr. Thomas moved to lay said amendment on the table; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Greer, Hacker, Hamlin, Harrison, Little, Mitchell, Moore, Monroe, Murray, O'Rear, Parrish, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, and Wood—29.

Those who voted in the negative, are,

Messrs. Herndon, Hunter, Johnston, Nunnally, Peck, and Richardson—6.

The question then recurring on concurring with the House of Representatives in the adoption of the preamble and resolutions,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson,

Fletcher, Gaston, Gibbs, Greer, Hacker, Hamlin, Hunter, Johnston, Little, Mitchell, Moore, Murray, O'Rear, Parrish, Richardson, Ross, Servant, Thomas, and Wood—25.

Those who voted in the negative, are,

Messrs. Borough, Herndon, Monroe, Nunnally, Peck, Turney, Warren, and Weatherford—8.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 13, 1839.

Senate met pursuant to adjournment.

Mr. Warren presented the petition of sundry citizens of Shelby county, asking for a relocation of a State road between Shelbyville and Pales-tine, and,

On motion of Mr. Warren,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Warren, Nunnally, and Greer, be that com-mittee.

Mr. Blackwell presented the petition of N. Sanburn, asking the Legis-lature to pass a law authorizing W. Sanburn, a minor, to convey certain land, and,

On motion of Mr. Blackwell,

The reading of the same was dispensed with, and referred to the com-mittee on the Judiciary.

Mr. Wood, from the committee on Petitions, to which were referred the petitions and remonstrances of sundry citizens of McLean and Macon counties, in relation to the division of said counties, reported a bill for "An act for the formation of De Witt county;" which was read, and,

Ordered to a second reading.

On motion of Mr. Allen,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Peck, from the committee on Finance, to which was referred a bill for "An act to encourage the culture of silk," reported the same back without amendment, and recommended its passage.

Mr. Little moved to lay the same on the table; which was not agreed to.

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Churchill, Davidson, Fithian, Fletcher, Gas-ton, Gibbs, Greer, Hacker, Hunter, Mitchell, Moore, Monroe, Murray, Peck, Ross, Servant, Stadden, and Thomas—20.

Those who voted in the negative, are,
Messrs. Borough, Browning, Butler, Hackelton, Hamlin, Johnston,
Little, O'Rear, Parrish, Richardson, Warren, Weatherford, and Wood—
13.

Mr. Stadden, from the committee on Canals and Canal Lands, made the following report, viz:

The committee on Canals and Canal Lands have, according to order, had under consideration the following petitions:

1. From canal contractors and others, praying a change in the law with reference to retained per centage.
2. From the same, praying that the Canal Commissioners may be authorized to purchase provisions and materials.
3. From the same, praying that the Canal Commissioners may be authorized to procure laborers; and report that bills embracing provisions as nearly in conformity with the prayer of the petitioners as is deemed consistent with the public interest, have already been reported, and are in progress before the General Assembly. The committee therefore ask to be discharged from the further consideration of the petitions.

On motion of Mr. Servant,

The report and the said petitions therein named were laid on the table.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of bills of the following titles, viz:

"An act to incorporate the La Salle Prairie Company;"

"An act to change a part of the State road from Vandalia to Salem;"

"An act to legalize the sub-division of block thirty, in the school section addition to the town of Chicago;"

"An act to establish ferries on school lands for the use of the inhabitants of townships;"

"An act to authorize the county commissioners' courts of the counties of Cook, Washington, and Clinton, to effect loans;"

"An act to amend an act, entitled 'An act to locate a State road from Thornton to Lockport, Plainfield, and Blackberry creek,' approved Feb 27, 1837;"

"An act to change the name of the town of Augusta, in Pike county;"

"An act to authorize the county commissioners of Peoria and other counties to lease certain offices;"

"An act to legalize the survey of the town of Carthage;"

"An act concerning the town of Lynnvillle;"

"An act to authorize a change in a certain State road therein named;"

"An act authorizing the building of certain bridges, and changing certain appropriations." And he withdrew.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved the following acts, viz:

"An act supplemental to an act, entitled 'An act to erect certain bridges,' approved January 22, 1831;"

"An act laying out a State road in Alexander county;"

"An act appointing an additional notary public for the county of Hancock;"

"An act making an appropriation to enclose the graves of deceased State officers, in the town of Vandalia;"

"An act to relocate part of a State road in Franklin county;"

"An act to incorporate the Edwardsville Steam Mill Company;"

"An act to vacate the survey and plat of the sub-division of block forty-one, in the town of Monmouth;"

"An act for the relief of the judge of the sixth judicial circuit of the State of Illinois."

"An act to amend 'An act concerning justices of the peace and constables,' approved February 3, 1827;"

"An act to authorize the county commissioners' court of Randolph county to change and alter State roads in said county;"

"An act to establish a State road from Beardstown to Manchester;" and

"An act regulating the salaries of the Judges of the Supreme Court." And he withdrew.

Mr. Warren, from the select committee to which was referred the petition of sundry citizens of Shelby county, in relation to a State road, reported a bill for "An act to lay out a State road from Shelbyville, in Shelby county, to Decatur, in Macon county;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren.

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Allen,

Referred to a select committee.

Ordered, That Messrs. Allen, Warren, and Mitchell, be that committee.

Mr. Murray, from the select committee to which was referred a bill from the House of Representatives, entitled "An act regulating the time of holding the circuit courts in the second judicial circuit," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Monroe, from the select committee to which was referred the petition of sundry citizens of Shelby and Coles counties, in relation to a State road therein named, reported a bill for "An act to locate a road from Charleston to James Keller's, on the Springfield trace;" which was read, and

Ordered to a second reading.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Warren,

Referred to a select committee.

Ordered, That Messrs. Warren, Monroe, and Fletcher, be that committee.

Mr. Richardson, on leave given, introduced a bill for "An act to incorporate the Quincy House Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Thomas, on leave given, introduced a bill for "An act to provide for the auditing and settling the accounts of public officers;" which was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Peck moved to lay the same on the table, and that said bill be printed; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fletcher, Greer, Hackelton, Harrison, Hunter, Johnston, Mills, Murray, O'Rear, Peck, Stadden, Thomas Turney, Weatherford, and Wood—22.

Those who voted in the negative, are,

Messrs. Fithian, Gaston, Gibbs, Hamlin, Little, Mitchell, Moore, Monroe, Nunnally, Parrish, Richardson, Ross, Servant, and Warren—14.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Little introduced a bill for "An act to relocate a part of the State road leading from Appanoose to the Drowning fork of Crooked creek;" which was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Thomas, on leave given, introduced a bill for "An act changing the place of depositing the public money;" which was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Browning moved to take up a bill some days since laid on the table, entitled a bill for "An act to limit the term of office of the Secretary of State;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Browning, Butler, Churchill, Fithian, Greer, Harrison, Moore, Murray, Ross, Servant, Thomas, and Warren—13.

Those who voted in the negative, are,

Messrs. Allen, Borough, Gaston, Gibbs, Hacker, Hackelton, Hamlin, Hunter, Johnston, Little, Mitchell, Monroe, Nunnally, O'Rear, Parrish, Peck, Stadden, Turney, and Weatherford—19.

The resolution offered by Mr Weatherford, in relation to amending the constitution of the State of Illinois, was read, and,

On motion of Mr. Thomas,

Laid on the table.

The engrossed bills, entitled

"An act making further provision for the sale of canal lands;"

"An act in relation to the resident land tax of Hancock county;"

"An act to amend 'An act to extend the corporate powers of the town of Peoria,' approved February 21, 1837;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The bill from the House of Representatives, entitled "An act declaring Mill and Big creeks navigable in Clark county," was read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Charleston Marine and Fire Insurance Company," was read a third time as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

The bill from the House of Representatives, entitled a bill for "An act to incorporate the Des Moines Rapids Railroad Company," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Improvements.

The bill from the House of Representatives, entitled "An act to change a part of a State road therein named," was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to add range one to the counties of Marshall and Putnam," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Stadden, Butler, and Hamlin, be that committee.

The bill from the House of Representatives, entitled "An act to review and relocate a part of the State road leading from Springfield to Decatur," was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to authorize Amzi Doolittle to keep a ferry across the Mississippi river," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to provide for the probate of wills in certain cases," was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to incorporate the Wapello Manufacturing Company," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to locate and establish certain State roads in Peoria and Knox counties," was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Public Roads.

The bill from the House of Representatives, entitled "An act concerning the road from Warsaw to Quincy," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to extend the jurisdiction of justices of the peace," was read, and On the question—"Shall the bill be read a second time?" It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof

The bill from the House of Representatives, entitled "An act supplemental to an act to authorize Ezra Baker, jr., to erect a mill-dam near Coffee Island, on the Great Wabash river," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Improvements.

The bill from the House of Representatives, entitled "An act to regulate interest on Auditor's warrants," was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Finance.

The bill from the House of Representatives, entitled "An act to amend the several laws in this State regulating elections," was read, and

Ordered to a second reading.

On motion of Mr. Borough,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Elections.

The bill from the House of Representatives, entitled "An act concerning a State road in Wabash county," was read, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Mills, Davidson, and Greer, be that committee.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House of Representatives have concurred with the Senate in the passage of bills, entitled

"An act to relocate a part of the State road from Calhoun county to Schuyler county;"

"An act to build a bridge across Fox river, at Ottawa;"

"An act to locate a State road from the northern boundary of Warren county to Illinois city, in Rock Island county;"

"An act to provide for the removal of the public offices to Springfield;"

"An act to amend an act, entitled 'An act to protect the canal lands against trespasses,' approved March 4, 1837;" and

"An act to establish the Illinois Asylum for the education of the deaf and dumb," as amended by them.

In which amendments to said bills they ask the concurrence of the Senate. And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, a bill of the following title, to wit: "An act regulating the time of holding the circuit courts in the second judicial circuit."

The bill from the House of Representatives, entitled "An act repealing all laws in relation to a State road leading from William Crows, in Morgan county, to Musick's bridge, in Sangamon county," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Weatherford, Thomas, and O'Rear, be that committee.

The bill from the House of Representatives, entitled "An act to provide for securing, to mechanics and others, liens for the value of labor and materials," was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act for the relief of the trustees of schools in township six north, range eight east, in Madison county," was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on School Lands and Education.

The bill from the House of Representatives, entitled "An act to repeal an act to improve the navigation of the Big Vermilion," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act providing for the temporary appointment of an attorney to prosecute in the second judicial circuit," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to locate the county seat of Whiteside county, and to provide for the election of county officers," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and said bill read a second time, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to relocate the seat of justice in the county of Iroquois," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Stadden, Peck, and Weatherford, be that committee.

The bill from the House of Representatives, entitled "An act to locate a State road from Napersville, in Cook county, to Indian creek, in McHenry county," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Peck,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act declaring the Mauvaise-terre creek a navigable stream," was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to locate a State road from Jonesboro, in Union county, to William T. Ryburn's, in Franklin county," was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to authorize the clerk of the Madison circuit court to procure the rebinding of certain records," was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to change the name of the town of Mechanicsburgh, in St. Clair county," was read, and

Ordered to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Murray,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bills from the House of Representatives, entitled

"An act to incorporate the Jefferson Institute;"

"An act to change the name of the town of Leesburg;"

"An act declaring Fox river, in White county, a navigable stream;" and

"An act to incorporate the Genesee Manual Labor High School;"

Were severally read, and

Ordered to a second reading.

The bill from the House of Representatives entitled, "An act to extend the corporate powers of the town of Pekin," was read, and

Ordered to a second reading.

On motion of Mr. Mitchell,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hamlin,

Referred to a select committee.

Ordered, That Messrs. Hamlin, Mitchell, and Harrison, be that committee.

The message from the House of Representatives containing the resolutions in relation to the purchase of the unsold lands of the United States within the limits of of this State, was read, and,

On motion of Mr. Thomas,

Laid on the table.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 14, 1839.

Senate met pursuant to adjournment.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the town of Rushville," reported

the same back with an amendment; which was read and concurred in.

Ordered to be engrossed and read a third time.

Mr. Browning, from the same committee, to which was referred a bill for "An act to incorporate the Galena Chamber of Commerce," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed and read a third time.

Mr. Peck, from the committee on Finance, to which was referred a bill from the House of Representatives, entitled "An act to regulate the interest on Auditor's warrants," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have passed bills of the following titles, viz:

"An act providing for the election of a public binder, and defining his duties;"

"An act for the relief of J. H. C. Hanna;"

"An act to incorporate the Chicago Lyceum;"

"An act to authorize the judge of the fourth judicial circuit to hold special terms of the circuit court;"

"An act to relocate part of the State road from Mount Vernon to Fairfield;"

"An act to distribute the school fund to the several counties in this State;"

"An act to amend the recorded plat of the town of Athens;"

"An act to incorporate the town of Hennepin;"

"An act to permanently locate the county seat of Mercer county;"

"An act to incorporate the town of Lacon, in Marshall county;"

"An act to locate a State road from the dividing line between the county of Vermilion and Iroquois, at the point where the Butterfield trace crosses said line;"

"An act authorizing the administrators of Henry M. Shaw, deceased, to execute deeds in certain cases, and changing the name of the town of Florence, in White county;"

"An act to incorporate the Fox River Manufacturing Company, and for other purposes;"

"An act to incorporate the Kankakee Manufacturing Company;"

"An act to incorporate the Fairfield Institute;"

"An act to incorporate agricultural societies;"

"An act to amend 'An act regulating the mode of trying the right of property;"

"An act to incorporate the Centre Bridge Company at Ottawa;"

"An act to incorporate the town of Decatur;"

"An act to incorporate the Embarrass River Navigation Company;"

"An act to incorporate the Warsaw Marine and Fire Insurance Company;"

"An act to establish a State road in Franklin and Union counties;"

"An act to relocate part of a State road from Quincy to Macomb;"

"An act declaring the Des Plaines river a navigable stream;"

"An act to construct bridges across the Kaskaskia and Embarrass rivers, at or near the points where the Springfield trace crosses said streams, and for other purposes;"

"An act to revive and amend an act, entitled 'An act to incorporate the town of Caledonia;'"

"An act to locate a State road from Griggsville, in Pike county, to the Mississippi river;"

"An act to authorize the administrators of William T. Wilber, deceased, to convey certain real estate;"

"An act to locate a State road from McKinzie's place, in Hamilton county, to Shawneetown, in Gallatin county;" and

"An act to authorize Samuel Hillon and Sylvanus Mason to build a mill-dam across Big Muddy river."

In the passage of which several bills they ask the concurrence of the Senate. And then he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled:

"An act to change the name of the town of Savannah, in the county of Warren;"

"An act to prohibit the betting on elections;"

"An act to incorporate the Mount Vernon Academy;"

"An act to amend the several acts incorporating the town of Galena;"

"An act to authorize Reuben and Sullivan L. Haines to raise a mill-dam across across the Mackinaw river;"

"An act in relation to the town of Springfield;"

"An act to authorize James T. Gifford and Samuel S. Kimball to build a dam across Fox river;"

"An act of incorporation for the Upper Alton Manufacturing Company;"

"An act to authorize the county commissioners' courts to recover certain moneys by them heretofore loaned;"

"An act to incorporate the Central Seminary of Illinois;"

"An act to incorporate New Haven, in Gallatin and White counties;"

"An act to provide for the appointment of additional judges of election in Coles and other counties;"

"An act to amend an act, entitled 'An act regulating elections,' in force June 1, 1829;"

"An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions and for avoiding vexatious law suits;'" and

"An act to establish the counties of Menard, Logan, and Dane."

Mr. Hackelton, from the same committee, reported that, on this day, they laid the above mentioned bills before the Council of Revision.

Mr. Davidson, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the Liberty Steam Mill Company," reported the same back without amendment, and recommended the passage of said bill.

Mr. Browning moved to amend the bill, by inserting, after the word "succession," in the eighth line of the first section, the words "for twenty years;" which was agreed to; and

Ordered, as amended, to be engrossed and read a third time.

Mr. Little, from the committee on the Judiciary, to which was referred a bill for "An act to distribute the interest on certain funds," reported the same back without amendment, and recommended the rejection of said bill.

On motion of Mr. Witt,

Laid on the table.

Mr. Mills, from the select committee to which was referred a bill from the House of Representatives, entitled "An act concerning a State road in Wabash county," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and said bill read a third time by its title and passed.

Mr. Greer moved to amend the title of said bill, so as to make it read, "An act concerning certain State roads in the counties of Wabash and Lawrence;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

Mr. Warren, from the select committee to which was referred the petition of sundry citizens of Shelby county, asking for the relocation of a State road therein named, reported a bill for "An act to review and relocate a part of a State road between Shelbyville, in Shelby county, and Palestine, in Crawford county;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

Ordered to be engrossed and read a third time.

Mr. Hamlin, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to extend the corporate powers of the town of Pekin," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to a third reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Gatewood, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to change a part of

the State road leading from Equality to Vienna," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Gatewood, from the same committee, to which was referred a bill for "An act to relocate part of a certain State road therein named," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Allen, from the select committee to which was referred a bill for "An act to lay out a State road from Shelbyville, in Shelby county, to Decatur, in Macon county," reported the same back without amendment, and recommended its passage.

Ordered to be engrossed and read a third time.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Stadden, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to relocate the seat of justice in the county of Iroquois," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Thomas, from the select committee to which was referred a bill from the House of Representatives, entitled "An act repealing all laws in relation to a State road leading from William Crow's, in Morgan county, to Musick's bridge, in Sangamon county," reported the same back without amendment, and recommended the rejection of said bill.

On the question—"Shall said bill be read a third time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Servant moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of organizing a Board, to be composed of three scientific engineers, one to be styled principal, the others senior and junior assistants; one of the duties of which shall be to examine all applicants for employment as engineers on any of the public works of this State, and, if such applicants be qualified, to grant them certificates (under their hands and official seals) of such qualifications; and further to inquire into the expediency of prohibiting the Canal Commissioners or the Commissioners of the Board of Public Works from employing any engineer who has not been so examined, and received such certificate.

Mr. Servant moved to dispense with the rule of the Senate, and that the resolution be now considered; which was not agreed to.

Mr. Davidson, on leave given, introduced a bill for "An act to incorporate the Shawneetown and New Haven Railroad Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, and the bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Butler, on leave given, introduced a bill for "An act to provide for classifying the works of internal improvement;" which was read, and

Ordered to a second reading.

Mr. Monroe moved to lay the same on the table until the 4th day of July next.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring upon the question pending at the time of adjournment, upon laying on the table, until the fourth day of July next, a bill, entitled "An act to provide for classifying the works of internal improvement,"

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 15, 1839.

Senate met pursuant to adjournment.

Mr. Witt, on leave given, introduced the petition of Margaret Noble, praying for a divorce from her husband William Noble; which was read, and

Mr. Witt moved to refer the same to the committee on the Judiciary; which was not agreed to.

On motion of Mr. Thomas,

Laid on the table.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the New Greenfield Hotel Company," reported said bill back with an amendment thereto; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Hacker, from the committee on Internal Improvements, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Des Moines Rapids Railroad Company," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title of said bill be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Hacker, from the same committee, to which was referred the bill from the House of Representatives, entitled "An act supplemental to 'An act to authorize Ezra Baker, jr. to erect a mill-dam near Coffee Island, on the Great Wabash river,'" reported the same back without amendment, and recommended its passage.

Ordered to a third reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title of said bill be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Warren, from the select committee to which was referred the bill for "An act to locate a road from Charleston to James Keller's, on the Springfield trace," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Gibbs, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to establish the county of Hardin," reported the same back with sundry amendments thereto; which were read and concurred in.

Ordered to a third reading, as amended.

The question recurring, which was pending at the time of adjournment on yesterday, on the motion of Mr. Monroe, to lay on the table, until the fourth day of July, 2000, the bill for "An act to provide for classifying the works of internal improvement;"

Mr. Servant moved to postpone the consideration of said motion until two o'clock; which was not agreed to.

A message from the House of Representatives, by Mr. Hardin:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendments to the bills from the House, entitled

"An act to constitute the town of Manchester a justice's and constable's district;"

"An act to authorize Henry W. Cleveland to build a toll-bridge across the Winnebago swamp;"

"An act to incorporate the Warsaw University of Illinois;" and

"An act regulating evidence in certain cases."

They have also concurred in the second amendment to the bill, entitled "An act to relocate the seat of justice of Livingston county," but they do not concur in the first amendment to said bill.

They have also concurred with the Senate in the passage of bills, entitled

"An act to incorporate the Union Agricultural Society;"

"An act to increase the corporate powers of the town of Liberty;"

"An act to authorize A. and S. S. Phelps to establish a ferry across the Mississippi river, at the town of Oquawka;"

"An act authorizing the building of a bridge across the Des Plaines river;"

"An act to amend an act, entitled 'An act to incorporate the Jo Daviess Marine and Fire Insurance Company;'"

"An act declaring the road from Jacksonville to Springfield a State road;" and

"An act to authorize the county commissioners of Peoria county to change a certain State road."

And he withdrew.

Mr. Ross in the chair.

On motion,

The Senate took a recess until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Senate met.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act concerning the public revenue of the county of Knox;"

"An act supplemental to the act, entitled 'An act to define the extent of possession in cases of settlement on the public lands,' approved Feb. 27, 1837;"

"An act to locate a State road from Jonesboro, in Union county, to William T. Rybarn's, in Franklin county;"

"An act to locate a State road from Napersville, in Cook county, to Indian creek, in McHenry county;"

"An act declaring Mill and Big creeks navigable, in Clark county;"

"An act to change the name of the town of Mechanicsburg, in St. Clair county;"

"An act to legalize the survey of the town of Carthage;"

"An act declaring the Mauvaise-terre creek a navigable stream;"

"An act to change the name of the town of Augusta, in Pike county;"

"An act to change a part of the State road from Vandalia to Salem;"

"An act to amend an act, entitled 'An act to locate a State road from Thornton to Lockport, Plainfield, and Blackberry creek,' approved February 27, 1837;"

"An act to authorize the county commissioners' court of Peoria and other counties to lease certain offices;"

"An act to authorize the county commissioners' courts of the counties of Cook, Washington, and Clinton, to effect certain loans;"

"An act establishing ferries on school lands for the use of the inhabitants of townships."

"An act to authorize Philip Jarboe and Harvey M. Jarboe to establish a ferry across the Illinois river;"

"An act to incorporate the La Salle Prairie Company;" and

"An act to authorize a change in a certain State road therein named-"

The question again recurring on Mr. Monroe's motion to lay the bill for "An act to provide for classifying the works of internal improvement," on the table until the fourth day of July, 2,000,

On motion,

The Senate adjourned.

SATURDAY, FEBRUARY 16, 1839.

Senate met pursuant to adjournment,

And was called to order by the Secretary, who stated that the Speaker was indisposed and unable to attend.

Whereupon,

On motion of Mr. Servant,

Mr. Davidson was chosen Speaker *pro tempore*.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill for "An act to establish and maintain a general system of internal improvements," approved February 27, 1837," reported the same back with an amendment; which was read.

Mr. Wood moved to refer the said bill and the proposed amendment to a select committee of five.

Ordered, That Messrs. Wood, Parrish, Thomas, Gibbs, and Harrison, be that committee.

Mr. Borough, from the committee on Public Roads, to which were referred a bill from the House of Representatives, entitled "An act to locate and establish certain State roads in Peoria and Knox counties," and also sundry petitions and remonstrances upon the same subject, reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act to incorporate the Warsaw Railroad Company;"

"An act for the relief of E. Tankersley;"

"An act to incorporate the Mount Carmel Manufacturing Company;"

"An act for the benefit of John W. Spencer and David B. Sears, of Rock Island county;"

"An act to amend the law in relation to sheriffs and coroners;"

"An act to authorize the county commissioners' court of St. Clair county to change State roads in said county;"

"An act to authorize the commissioners of Crawford county to appoint persons to locate a certain road therein named;"

"An act to authorize Joshua Vandruff to establish a ferry across Rock river, at Vandruff's island;" and

"An act to authorize the Board of Public Works to survey and construct the continuation of certain railroads within the State of Indiana."

In the passage of which several bills they ask the concurrence of the Senate. And he withdrew.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill for "An act to apply a part of an appropriation heretofore made to Clark county to the improvement of the road from York to the county line of Clark," reported the same back without amendment, and recommended the passage of said bill.

Ordered, as amended, to be engrossed and read a third time.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the passage of bills of the following titles, viz:

"An act relating to service of process against corporations;"

"An act to incorporate the Shawneetown Academy, in Gallatin county;"

"An act disposing of the public property in Vandalia;"

"An act to resurvey the town of Mount Vernon;" and

"An act to change a part of the Grand View and Terre Haute road, in the county of Edgar."

And he withdrew.

Mr. Weatherford, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to establish the county of Scott," together with the objections of the Council of Revision to said bill, reported the same back without amendment, and recommended the passage of said bill.

The question recurring on concurring with the House of Representatives in their amendments to said bill,

It was decided in the affirmative.

And on the question—"Will the Senate concur with the House of Representatives in the repassage of said bill?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles, as amended by them, viz:

"An act to incorporate the Chester Insurance Company;"

"An act to amend the several laws in relation to appeal bonds, and the trial of appeals;"

"An act to amend an act, entitled 'An act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties;'"

"An act to incorporate the town of Quincy;"

"An act authorizing the location of a State road through parts of Vermilion and Champaign counties;" and

"An act to incorporate the German Library Society of St. Clair county;"

In which amendments to said bills they ask the concurrence of the Senate. And he withdrew.

Mr. Harrison, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to define the bounds of Boone county," reported the same back with sundry amendments; which were read and concurred in.

Ordered, as amended, to a third reading.

Mr. Churchill, on leave given, introduced a bill for "An act to amend the act regulating elections;" which was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Elections.

On motion of Mr. Servant,

The bill contained in the message from the House of Representatives, entitled "An act to incorporate the Chester Insurance Company," was taken up; and the amendment of the House of Representatives to said bill read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Thomas moved to dispense with the rule of the Senate for the purpose of taking up a bill; which was not agreed to.

On motion of Mr. Nunnally,

The resolution some days since laid on the table, in relation to the standing hour of adjournment, was taken up, read, and adopted.

A message from the House of Representatives, by Mr. Murphy of Vermilion:

Mr. Speaker: I am directed to inform the Senate that the Council of Revision have returned to the House of Representatives, with their objections, the bill entitled "An act to vacate the plat of the town of Savannah, in Inquois county;" that the House have amended the same to obviate the objections of the Council, and have repassed said bill as amended.

In the repassage of which they ask the concurrence of the Senate.

The question recurring on the question pending at the time of adjournment on yesterday, which was upon laying on the table, until the fourth day of July next, a bill for "An act to provide for classifying the works of internal improvement,"

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the Council of Revision, by Mr. McLean, their Secretary :

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to prohibit betting on elections;"

"An act to provide for the appointment of additional judges of election in Coles and other counties;"

"An act to amend an act, entitled 'An act regulating elections,' in force June 1, 1829;"

"An act of incorporation for the Upper Alton Manufacturing Company;"

"An act to incorporate the Mount Vernon Academy;"

"An act to incorporate New Haven, in Gallatin and White counties;"

"An act to change the name of the town of Savannah, in the county of Warren;"

"An act to authorize the county commissioners' courts to recover certain moneys by them heretofore loaned;"

"An act to incorporate the Central Seminary of Illinois;" and

"An act to amend the several acts incorporating the town of Galena."

And he withdrew.

The question again recurring on the question pending at the time of adjournment, on laying on the table, until the fourth day of July next, a bill for "An act to provide for classifying the works of internal improvement,"

On motion,

The Senate adjourned.

MONDAY, FEBRUARY 18, 1839.

Senate met pursuant to adjournment.

Mr. Hackelton presented the petition of sundry citizens, male and female, of the town of Bernadotte, in the county of Fulton, praying the repeal of all laws authorizing the sale of intoxicating drinks.

On motion of Mr. Hackelton,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Richardson presented the petition of sundry citizens of Schuyler county, upon the same subject.

On motion of Mr. Richardson,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Stadden presented the petition of sundry citizens of La Salle, Kane, and DeKalb counties, praying the formation of a new county.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Little presented the petition of Timothy Gridley, to certain members of the Legislature, enjoining upon them to keep a sharp look out for breakers; which was read, and,

On motion of Mr. Little,

Referred to the committee on the Judiciary.

Mr. Stadden presented the petition of sundry citizens of La Salle county, praying the establishment of a State arsenal at Ottawa.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Military Affairs.

Mr. Stadden presented the petition of Jethro Hatch and others, praying the passage of a law authorizing the sale of a tract of land therein named.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Churchill, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives, entitled "An act for the relief of trustees of schools in township six north, range eight west, in Madison county," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading,

Mr. Churchill, from the same committee, to which was referred a bill for "An act relating to common schools in the city of Chicago," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Little, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the Exeter Manufacturing Company," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed, as amended, and read a third time.

Mr. Richardson, from the committee on Elections, to which was referred a bill from the House of Representatives, entitled "An act to amend the several laws in this State regulating elections," reported the same back without amendment, and recommended the passage of said bill.

Mr. Stadden moved to amend, by striking out the 1st section of said bill; which was not agreed to.

On motion of Mr. Little,

Laid on the table.

Mr. Ross, from the committee on Elections, to which was referred a bill for "An act further to amend the act regulating elections," reported the same back without amendment, and that a majority of said committee recommend the passage of said bill.

Mr. Little moved the indefinite postponement of the same; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Borough, Browning, Butler, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hacker, Hackelton, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, O'Rear, Parrish, Peck, Richardson, Servant, Stadden, Turney, Warren, Weatherford, Witt, and Wood—28.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Churchill, Hamlin, Harrison, Herndon, Hunter, Moore, Murray, Ross, and Thomas—11.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of the bill, entitled "An act to authorize John A. McClanahan to build a mill-dam in Fayette county," as amended by them.

They also amend the title of said bill, so as to read "An act to authorize John A. McClanahan, William James, George F. Stolle, and Frederick Reman, to build a mill-dam in Fayette county."

In which amendments to said bill and title they ask the concurrence of the Senate. And he withdrew.

Mr. Gatewood, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives, entitled "An act making the office of school commissioners elective by the people," reported the same back with an amendment; which was read.

Mr. Hacker moved to amend the amendment, by striking out all after the word "that," and inserting the following, viz:

"The county commissioners' courts of the several counties in this State shall, at the September term of the county commissioners' court, in the year eighteen hundred and thirty-nine, and every two years thereafter, appoint a school commissioner of the county, who shall give such security and perform such duties as are now required of him by law; and upon the appointment of any new commissioner, his predecessor shall deliver over to his successor, upon the order of the county commissioners' court, all books, papers, notes, money, and every other thing pertaining to his office, under a penalty not exceeding ten thousand dollars, to be recovered by indictment, and the fine to be assessed by the jury who tries the same: said fine shall be added to the common school fund of the county;" which was agreed to.

The question then recurring on concurring with the committee in their amendment to said bill, as amended,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Hamlin, Harrison, Moore, Murray, O'Rear, Ross, Servant, and Thomas—18.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Fithian, Gaston, Hackelton, Herndon, Hunter, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—22.

The question recurring on ordering said bill to a third reading,

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the question pending at the time of adjournment, on ordering to a third reading a bill from the House of Representatives, entitled "An act making the office of school commissioner elective by the people,

Mr. Hacker moved to refer the same to the committee on Finance; which was not agreed to.

On motion of Mr. Little,

Referred to a select committee.

Ordered, That Messrs. Little, Hacker, and Fithian, be that committee.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill, entitled "An act concerning the public revenue."

In the passage of which they ask the concurrence of the Senate. And he withdrew.

Mr. Gatewood, on leave given, introduced a bill for "An act for the relief of Wm. Hicks and Timothy Guard;" which was read, and

Ordered to a second reading.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Salines and Saline Lands.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That both Houses will meet in the hall of the House of Representatives, on the 19th day of February, inst., at 7 o'clock P. M., for the purpose of electing Commissioners of Public Works for the first, second, third, fourth, fifth, sixth, and seventh judicial circuits, the President and acting Commissioner of the Illinois and Michigan canal, and Treasurer of the Board of Canal Commissioners.

In the adoption of which resolution I am directed to ask the concurrence of the Senate. And he withdrew.

Mr. Harrison, on leave given, introduced a bill for "An act to incorporate the Jo Daviess Mining and Smelting Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Hamlin, from the select committee to which was referred the petition of Isaac Underhill, reported a bill for "An act to vacate the town

plats of the towns of Caledonia, and the first addition to the town of Rome, in the county of Peoria," which was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Ross, on leave given, introduced a bill for "An act supplemental to 'An act to incorporate the Quincy, Grigsville, and Springfield Turnpike Company,' approved March 1, 1837;" which was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Stadden, on leave given, introduced a bill for "An act to amend an act to incorporate the Wabash and Indiana Railroad Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Blackwell, on leave given, introduced a bill for "An act in relation to the Clerk of the Supreme Court of the State of Illinois;" which was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Gibbs, on leave given, introduced a bill for "An act to incorporate the Golconda Seminary;" which was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The bill contained in the message from the House of Representatives, entitled "An act to provide for the removal of the public offices to Springfield," was taken up; and the amendments of the House of Representatives to said bill were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof

On motion of Mr. Richardson,

The message from the House of Representatives just received, containing the resolutions in relation to the election of Commissioners of Public Works and Canal Commissioners, was taken up;

And on the question—"Will the Senate concur with the House of Representatives in the adoption of said resolution?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Churchill moved the adoption of the following preamble and resolution, which lie one day on the table, viz:

Whereas the committee on Roads and Canals, in the Senate of the United States, have reported a bill granting to the State of Indiana one moiety of the vacant and unsold lands six miles on each side of the Mount Carmel and New Albany railroad, under the restrictions and provisions contained therein; and whereas said committee, in their very able and satisfactory report on this subject, express the opinion that the work in question is one of great national importance, in which the people of the States, the great commercial cities, and the General Government are alike interested; and whereas all the facts and arguments urged in the report of said committee are founded on the presumption that a railroad will be constructed from Mount Carmel to the Mississippi river, without which the railroad from Mount Carmel to New Albany would be of minor importance; and whereas the State of Illinois is now engaged in the construction of a railroad from Alton to Mount Carmel, connecting at that place with the proposed railroad from Mount Carmel to New Albany: therefore,

Resolved by the people of the State of Illinois, represented in the General Assembly That our Senators in Congress be instructed, and our Representatives be requested, to use their best exertions to obtain from the General Government a grant to the State of Illinois, of one-half of the vacant and unsold land for six miles on each side of the Alton and Mount Carmel railroad, to enable this State to construct that important work.

On motion of Mr. Servant,

The resolution offered by him some days since, in relation to the expediency of organizing a board of engineers, was taken up, read, and adopted.

Mr. Churchill, on leave given, introduced a bill for "An act in relation to the Penitentiary;" which was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Penitentiary.

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 19, 1839.

Senate met pursuant to adjournment.

Mr. Fithian presented the petition of the Society of Friends, in Vermilion county, on the subject of procuring a deed for a church lot and burying ground.

On motion of Mr. Fithian,

The reading of the same was dispensed with, and referred to the committee on the Judiciary.

Mr. Stadden presented the petition of sundry citizens of La Salle, Kane, and De Kalb counties, praying the formation of a new county.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to the committee on Petitions.

Mr. Blackwell presented the petition of H. Hains and others in relation to a change of a certain State road in Fayette county.

On motion of Mr. Blackwell,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Blackwell, Hunter, and Gaston, be that committee.

Mr. Servant, from the committee on Military Affairs, to which was referred the petition of sundry citizens of La Salle county, praying the establishment of a State arsenal at Ottawa, reported the same back, and asked to be discharged from the further consideration of the subject; which was agreed to.

On motion of Mr. Thomas,

Referred to the committee on Canals and Canal Lands.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles, viz:

"An act to incorporate Kane College;"

"An act to vacate the survey and plat of the town of Middletown;"

"An act to change a part of the State road from Peoria to Knoxville, in Knox county, and for other purposes;" and

"An act to amend 'An act to incorporate the Union College of Illinois.'"

They have also concurred with the Senate in the passage of a bill, entitled "An act to amend an act, entitled 'An act for the relief of the poor,' approved March 1, 1833," as amended by them.

In which amendment they ask the concurrence of the Senate. And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled:

"An act to incorporate the Shawneetown Academy, in Gallatin county;"

"An act to incorporate the Union Agricultural Society;"

"An act to incorporate the Des Moines Rapids Railroad Company;"

"An act to legalize the sub-division of block thirty, in the school section addition to the town of Chicago;"

"An act concerning the town of Lynnville;"

"An act to constitute the town of Manchester a justice's and constable's district;"

"An act to authorize the clerk of the Madison circuit court to procure the rebinding of certain records;"

"An act to authorize the county commissioners of Peoria county to change a certain State road;"

"An act authorizing the building of certain bridges, and changing certain appropriations;"

"An act declaring the road from Jacksonville to Springfield a State road;"

"An act disposing of the public property in Vandalia;"

"An act to amend an act, entitled 'An act to incorporate the Jo Daviess Marine and Fire Insurance Company;'"

"An act relating to service of process against corporations;"

"An act to authorize the building of a bridge across the Des Plaines;"

"An act to authorize A. and S. S. Phelps to establish a ferry across the Mississippi river, at the town of Oquawka;"

"An act to resurvey the town of Mount Vernon;"

"An act to incorporate the Chester Insurance Company;"

"An act to change a part of the Grand View and Terre Haute road in the county of Edgar;"

"An act regulating evidence in certain cases;"

"An act to increase the corporate powers of the town of Liberty;"

"An act supplemental to 'An act to authorize Ezra Baker, jr. to erect a mill-dam near Coffee island, on the Great Wabash river;'"

"An act to incorporate the town of Fayette, in Greene county;"

"An act to authorize Henry W. Cleveland to build a toll-bridge across the Winnebago swamp;"

"An act to incorporate the Warsaw University of Illinois."

Also a preamble and resolution relative to public depositories.

They also report that the bill, entitled "An act to establish the county of Scott," heretofore laid before the Council of Revision and returned by them with objections, as correctly enrolled, and that said bill was again laid before the Council of Revision on Saturday last.

Mr. Hackelton, from the same committee, afterwards, reported that the bills above mentioned were, this day, laid before the Council of Revision; and also the bills, which were reported as correctly enrolled on Friday last, were, on Saturday, laid before the Council of Revision.

Mr. Fithian, from the committee on Salines and Saline Lands, to which was referred a bill for "An act for the relief of William Hicks and Timothy Guard," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Little, from the committee on the Judiciary, to which was referred a bill for "An act defining and regulating proceedings in the action of ejectment," reported the same back without amendment, and recommended the passage of said bill.

Mr. Ross moved to amend said bill, by striking out the word "permanent," in the 41st section, 5th line, and inserting "any;" which was agreed to.

Mr. Ross moved further to amend said bill, by adding the following, as an additional section, viz:

"Sec. Nothing contained in this act shall be so construed as repealing or changing the provisions of the act, entitled 'An act concerning occupying claimants of land, approved on the 23d day of February, 1819;' but all the provisions of said act shall be and remain in full force, any thing in this act to the contrary notwithstanding;" which was agreed to; and said bill, as amended,

Ordered to be engrossed and read a third time.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to change a part of the State road from Vandalia to Salem;"

"An act to establish ferries on school lands for the use of the inhabitants of townships;"

"An act to change the name of the town of Augusta, in Pike county;"

"An act to incorporate the La Salle Prairie Company;"

"An act to authorize the county commissioners of Peoria and other counties to lease certain offices;"

"An act to authorize a change in a certain State road therein named;"

"An act to authorize the county commissioners' courts of the counties of Cook, Washington, and Clinton, to effect loans;"

"An act to authorize Philip Jarboe and Harvey M. Jarboe to establish a ferry across the Illinois river;" and

"An act to amend an act, entitled 'An act to locate a State road from Thornton to Lockport, Plainfield, and Blackberry creek,' approved Feb. 27, 1837."

And he withdrew.

Mr. Thomas, from the committee on the Judiciary, to which was referred the petition of Jethro Hatch, praying the passage of a law authorizing the sale of a tract of land therein named, reported the same back, and asked to be discharged from the further consideration of said petition.

On the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Churchill, from the committee on the Penitentiary, made the following report, viz:

The committee on the Penitentiary, who were instructed to inquire into the causes of the frequent escape of convicts from the Penitentiary, beg leave to report, that your committee sent a circular letter to the several gentlemen who have had charge of the Penitentiary, either as Warden, Inspectors, or Superintendent, and that from most of them the committee have received answers, which are herewith submitted.

It will be seen, by an examination of these papers, that although *some* of the escapes which have taken place may be justly attributed to negligence on the part of the keepers, yet many of them were the result of the unfinished state of the building and the want of a right guard.

Your committee have under consideration a bill intended to prevent a recurrence of escapes from the Penitentiary, which will be submitted to the Senate as soon as practicable.

On motion of Mr. Servant,

Laid on the table.

Mr. Thomas, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled "An act to provide for securing, to mechanics and others, liens for the value of labor and materials," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

Mr. Thomas, from the same committee, to which was referred the bill for "An act to incorporate the Quincy House Company," reported the

same back with sundry amendments thereto; which were read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Wood, from the select committee to which was referred a bill for "An act to amend 'An act to establish and maintain a general system of internal improvements,' approved February 27, 1837," with the proposed amendment thereto, reported the same back with an amendment to the amendment; which was read and concurred in.

And the question recurring on the adoption of the amendment as amended,

It was decided in the affirmative.

Ordered to be engrossed as amended, and read a third time.

Mr. Witt, from the select committee to which was referred a bill for "An act to provide for the distribution and application of certain funds heretofore appropriated to certain counties for purposes of internal improvement," reported the same back with an amendment; which was read and concurred in.

Mr. Ross moved to lay said bill on the table; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Davidson, Gibbs, Greer, Hunter, Johnston, Moore, Murray, Nunnally, Ross, Servant, and Witt—12.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Hacker, Hackelton, Hamlin, Herndon, Mills, Mitchell, Monroe, O'Rear, Parrish, Peck, Stadden, Thomas, Warren, Weatherford, and Wood—22.

Ordered to be engrossed, as amended, for a third reading.

Mr. Little, from the select committee to which was referred a bill from the House of Representatives, entitled "An act making the office of school commissioner elective by the people," reported the same back with several amendments thereto; which were read and concurred in.

On the question—"Shall the bill be read a third time as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Fithian, Hackelton, Herndon, Hunter, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, Parrish, Stadden, Turney, Warren, Weatherford, Witt, and Wood—19.

Those who voted in the negative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Fletcher, Gibbs, Greer, Hacker, Hamlin, Moore, Murray, O'Rear, Ross, Servant, and Thomas—16.

Mr. Blackwell, from the select committee to which was referred the petition of H. Haines and others, in relation to a change in a certain State road, reported a bill, entitled "An act to alter a certain road in Fayette county;" which was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Thomas, on leave given, introduced a bill for "An act to amend the 'Act concerning marriages;'" which was read, and

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Witt moved to amend, by striking out the word "wherefore," and inserting "therefore," in lieu thereof; which was agreed to.

Mr. Borough moved to lay the same on the table; which was not agreed to.

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs Allen, Blackwell, Browning, Butler, Churchill, Fithian, Fletcher, Hamlin, Harrison, Herndon, Hunter, Moore, Nunnally, O'Rear, Parrish, Peck, Ross, Stadden, Thomas, Witt, and Wood—21.

Those who voted in the negative, are,

Messrs. Borough, Davidson, Gaston, Gibbs, Greer, Hacker, Johnston, Little, Mitchell, Murray, Richardson, Turney, Warren, and Weatherford—14.

Mr. Herndon, on leave given, introduced a bill for "An act to incorporate the Springfield Academy, in the county of Sangamon;" which was read, and

Ordered to a second reading.

On motion of Mr. Herndon,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Blackwell,

Referred to the committee on School Lands and Education.

On motion of Mr. Browning,

The bill contained in the message from the House of Representatives, entitled "An act to incorporate the town of Quincy," was taken up.

The amendments of the House of Representatives to said bill were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Speaker laid before the Senate a communication from the Board of Public Works, in answer to a resolution of the Senate calling for information in relation to various subjects; which was read, and,

On motion of Mr. Hacker,

Laid on the table.

Mr. Hamlin, on leave given, introduced a bill for "An act to amend 'An act to incorporate the Peoria Commercial Insurance Company,' approved Feb. 18, 1837;" which was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Hamlin, Mitchell, and Butler, be that committee.

The preamble and resolution offered by Mr. Churchill, in relation to a donation of land upon the route of the Alton and Mount Carmel railroad, was read and adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The engrossed bills, entitled

"An act to encourage the culture of silk;"

"An act for the benefit of Vestry Adeline Martin;"

"An act for the formation of De Witt county;"

"An act to relocate a part of the State road leading from Appanoose to the Drowning fork of Crooked creek;"

"An act changing the place of depositing the public money;"

"An act to incorporate the Liberty Steam Mill Company;"

"An act to incorporate the Galena Chamber of Commerce;"

"An act to incorporate the town of Rushville;"

"An act to locate a State road from Charleston to James Keller's, on the Springfield trace;"

"An act relating to common schools in the city of Chicago;"

"An act to incorporate the Exeter Manufacturing Company;"

"An act to vacate the town plat of the towns of Caledonia, and the first addition to the town of Rome, in the county of Peoria;" and

"An act, supplemental to 'An act to incorporate the Quincy, Griggsville, and Springfield Turnpike Company,' approved March 1, 1837;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The engrossed bill, entitled "An act to review and relocate a part of the State road between Shelbyville, in Shelby county, and Palestine, in Crawford county," was read a third time, and,

On motion of Mr. Warren,

Laid on the table.

The engrossed bill, entitled "An act to incorporate the New Greenfield Hotel Company," was read a third time, and passed.

Mr. Witt moved to amend the title, by adding the words "in Greene county;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bill, entitled "An act fixing the salary of the Governor, and requiring him to reside at the seat of Government," was read a third time, and,

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Davidson, Fithian, Gibbs, Hacker, Hamlin, Harrison, Herndon, Mills, Moore, Peck, Ross, Servant, Stadden, Thomas, Turney, and Weatherford—19.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Fletcher, Greer, Hackelton, Hunter, Johnston, Little, Mitchell, Nunnally, O'Rear, Parrish, Richardson, Warren, and Wood—16.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The bill, entitled "An act to incorporate the Golconda Seminary," was read a second time, and

Ordered to be engrossed and read a third time.

The bill from the House of Representatives, entitled "An act to repeal an act to improve the navigation of the Big Vermilion," was read a third time, and,

On motion of Mr. Fithian,

Laid on the table.

The bills from the House of Representatives, entitled

"An act to locate the county seat of Whiteside county, and to provide for the election of county officers;"

"An act concerning the road from Warsaw to Quincy;"

"An act to authorize Amzi Doolittle to keep a ferry across the Mississippi river;"

"An act to review and relocate a part of the State road leading from Springfield to Decatur;"

"An act to change part of a State road therein named;"

"An act for the relief of trustees of schools in township six north, range eight west, in Madison county;"

"An act declaring Fox river, in White county, a navigable stream;"

"An act to change the name of the town of Leesburg;" and

"An act to incorporate the Jefferson Institute;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bills from the House of Representatives, entitled

"An act define the bounds of Boone county;"

"An act to establish the county of Hardin;" and

"An act to locate and establish certain State roads in Peoria and Knox counties;"

Were severally read a third time as amended, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence in the amendments thereto.

A message from the Governor, by Mr. Field, Secretary of State :

Mr. Speaker: I am directed by the Governor to lay before the Senate two communications in writing. And he withdrew.

The bill from the House of Representatives, entitled "An act to incorporate the Genesee Manual Labor High School," was read the second time, and,

On motion of Mr. Butler,

Referred to the committee on School Lands and Education.

The bills in the message from the House of Representatives, entitled "An act to establish the Illinois Asylum for the education of deaf and dumb;"

"An act to incorporate the German Library Society of St. Clair county;"

"An act to amend an act, entitled 'An act to protect the canal lands against trespasses,' approved March 4, 1837;"

"An act to amend an act, entitled 'An act for the relief of the poor,' approved March 1, 1833;"

"An act to build a bridge across Fox river, at Ottawa;"

"An act to relocate a part of the State road from Calhoun county to Schuyler county;"

"An act authorizing the location of a State road through parts of Vermilion and Champaign counties;" and

"An act to locate a State road from the northern boundary of Warren county to Illinois city, in Rock Island county," as amended by the House of Representatives, were taken up.

The amendments of the House of Representative to said bills, were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill contained in the message from the House of Representatives, entitled "An act to amend the several laws in relation to appeal bonds and the trial of appeals," was taken up, and the amendments of the House of Representatives to said bill read, and,

On the question—"Will the Senate concur with the House of Representatives in their amendments to said bill?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill contained in the message from the House of Representatives, entitled "An act to amend an act, entitled 'An act prescribing the mode of summoning grand and petit jurors, and defining their qualifications,'" was taken up, and the amendments of the House of Representatives to said bill read.

On motion of Mr. Thomas,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to vacate the plat of the town of Savannah, in Iroquois county," together with the objections of the Council of Revision to the same, was taken up, and the amendments of the House of Representatives read and concurred in.

On the question—"Will the Senate concur with the House of Representatives in the repassage of the bill?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives hereof.

On motion of Mr. Warren,

The bill, entitled "An act to review and relocate a part of the State road between Shelbyville, in Shelby county, and Palestine, in Crawford county," just laid on the table, was taken up;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Speaker announced that the two communications from the Governor, just received, were upon executive business.

Whereupon, the doors were closed;

And upon the opening of the doors,

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Hall of the House, for the purpose of electing Commissioners of Public Works and Canal Commissioners. And then he withdrew.

Whereupon, the Senate, preceded by their Speaker, proceeded to the Hall of the House of Representatives, and the two Houses proceeded to elect a Commissioner of the Board of Public Works for the first judicial circuit by joint vote; which, being counted, stood thus:

For Jesse B. Thomas—67.

For Murray McConnel—37.

For Newton Cloud—19.

Scattering—4.

Those who voted for Jesse B. Thomas, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Hunter, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, Turney, and Warren, of the Senate; and

Messrs. Aldrich, Archer, Baker, Churchill, Cunningham, Dawson, Dubois, Dunn, Edwards, Elkin, Elliott, Emmerson, Ficklin, Gilham, Hardin, Henderson, Henry, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Logan, Lyons, McCormick, McCutchen, McMillan, Marshall, Menard, Morgan, Murphy of Vermilion, Otwell, Philips, Rawalt, Roberts, Smith of Wabash, George Smith of Madison, Stapp, Thomas of McLean, Walker of Fulton, and Williams, of the House of Representatives—67.

Those who voted for Murray McConnel, are,

Messrs. Gaston, Gibbs, Hacker, Hackelton, Mitchell, Nunnally, Parrish, Peck, and Witt, of the Senate; and

Messrs. Alexander, Allen of Franklin, Allen of Greene, Bainbridge, Calhoun, Compher, Copland, Crain, Daley, Edmonston, Fisk, Flood, Foster, French, Gouge, Green of Clay, Green of Greene, Hankins, Harris, McWilliams, Moore, Murphy of Cook, Naper, Robinson, Walker of Vermilion, Webb of Alexander, Wood, and Mr. Speaker, of the House of Representatives—37.

Those who voted for Newton Cloud, are,

Messrs. Johnston, Richardson, Stadden, Weatherford, and Wood, of the Senate; and

Messrs. Brown, Craig, Happy, Holmes, Houston, Huey, Murphy of Perry, Pace, Read, Roman, Robert Smith of Madison, Thomas of St. Clair, Thornton, and Zimmerman, of the House of Representatives—19.

Scattering—4.

Jesse B Thomas, having received a majority of all the votes given, was declared duly elected Commissioner of the Board of Public Works for the first judicial circuit.

The two Houses then proceeded to vote for a Commissioner of the Board of Public Works for the second judicial circuit by joint vote; which, being counted, stood thus:

For John Hogan—67.

For Robert Smith—34.

For Nathaniel Buckmaster—15.

Those who voted for John Hogan, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hamlin, Harrison, Hunter, Little, Moore, Monroe, Murray, O'Rear, Parrish, Ross, Servant, and Thomas, of the Senate; and

Messrs. Aldrich, Archer, Baker, Copland, Craig, Cunningham, Dawson, Dubois, Dunn, Edwards, Elkin, Elliott, Emmerson, Gilham, Hardin, Henderson, Henry, Holmes, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Logan, Lyons, McCormick, McCutchen, McMillan, Marshall, Menard, Morgan, Murphy of Vermilion, Otwell, Philips, Rawalt, Read, Roberts, Smith of Wabash, George Smith of Madison, Thomas of McLean, Webb of Alexander, and Williams, of the House of Representatives—67.

Those who voted for Robert Smith, are,

Messrs. Hacker, Hackelton, Herndon, Nunnally, Stadden, Warren, and Weatherford, of the Senate; and

Messrs. Alexander, Allen of Franklin, Bainbridge, Brown, Churchill, Cloud, Fisk, Flood, Foster, French, Happy, Harris, Houston, Huey, McWilliams, Maus, Moore, Naper, Pace, Robinson, Roman, Stapp, Walker of Fulton, Walker of Vermilion, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—34.

Those who voted for Nathaniel Buckmaster, are,

Messrs. Borough, Gaston, Johnston, Mitchell, Richardson, and Witt, of the Senate; and

Messrs. Allen of Greene, Compher, Daley, Edmonston, Ficklin, Gouge, Green of Greene, Kercheval, and Murphy of Cook, of the House of Representatives—15.

Messrs. Mills, Peck, Turney, and Wood, of the Senate; and

Messrs. Calhoun, Crain, Green of Clay, Hankins, Murphy of Perry,

and Thornton, of the House of Representatives, voted for William Kinney—10.

Scattering—2.

Mr. Hogan, having received a majority of all the votes given, was declared duly elected Commissioner of Public Works for the second judicial circuit.

The two Houses then proceeded to elect a Commissioner of Public Works for the third judicial circuit by joint vote; which, being counted, stood thus:

For Tarlton Dunn—59.

For Elijah Willard—64.

Scattering—2.

Those who voted for Tarlton Dunn, are,

Messrs. Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hamlin, Harrison, Herndon, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Warren, of the Senate; and

Messrs. Archer, Baker, Copland, Dawson, Dubois, Edwards, Elkin, Elliott, Ficklin, Gilham, Hankins, Hardin, Henry, Hull, Jarrott, Johnson, Jones, Kercheval, Kerr, Lincoln, Lyons, McCormick, McCutchen, Marshall, Menard, Morgan, Murphy of Vermilion, Otwell, Philips, Read, Roberts, George Smith of Madison, Stapp, Thomas of McLean, Walker of Fulton, Webb of Alexander, and Wood, of the House of Representatives—59.

Those who voted for Elijah Willard, are,

Messrs. Allen, Borough, Butler, Gaston, Hacker, Hackelton, Hunter, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Bainbridge, Brown, Calhoun, Churchill, Cloud, Compher, Craig, Crain, Cunningham, Daley, Edmonston, Emmerson, Fisk, Flood, Foster, French, Green of Clay, Green of Greene, Happy, Harris, Henderson, Holmes, Houston, Huey, Kent, Logan, McWilliams, Maus, Moore, Murphy of Perry, Naper, Pace, Rawalt, Robinson, Roman, Smith of Wabash, Robert Smith of Madison, Thomas of St. Clair, Thornton, Walker of Vermilion, Zimmerman, and Mr. Speaker, of the House of Representatives—64.

Scattering—2.

Elijah Willard, having received a majority of all the votes given, was declared duly elected Commissioner of Public Works for the third judicial circuit.

The two Houses then proceeded to elect a Commissioner of the Board of Public Works for the fourth judicial circuit by joint vote; which, being counted, stood thus:

For Milton K. Alexander—74.

For William B. Archer—51.

Scattering—3.

Those who voted for Milton K. Alexander, are,

Messrs. Allen, Borough, Butler, Gaston, Gibbs, Hacker, Hackelton, Herndon, Johnston, Little, Mills, Mitchell, Nunnally, Parrish, Peck, Richardson, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Bainbridge, Brown, Calhoun, Churchill, Cloud, Compher, Copland, Craig, Crain, Daley, Edmonston, Emmerson, Flood, Foster, French, Gouge, Green of Clay, Green of Greene, Hankins, Happy, Harris, Henderson, Houston, Huey, Kent, Kercheval, Logan, Lyons, McCutchen, McMillan, McWilliams, Maus, Moore, Murphy of Cook, Murphy of Perry, Murphy of Vermilion, Naper, Pace, Rawalt, Robinson, Roman, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas of St. Clair, Walker of Fulton, Walker of Vermilion, Zimmerman, and Mr. Speaker, of the House of Representatives—74.

Those who voted for William B. Archer, are,

Messrs. Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Hunter, Moore, Monroe, Murray, O'Rear, Ross, Servant, Stadden, Thomas, and Turney, of the Senate; and

Messrs. Baker, Cunningham, Dawson, Dubois, Dunn, Edwards, Elkin, Elliott, Ficklin, Fisk, Gilham, Hardin, Henry, Holmes, Hull, Jarrott, Johnson, Jones, Kerr, Lincoln, McCormick, Marshall, Menard, Morgan, Otwell, Philips, Read, Roberts, Thomas of McLean, Thornton, and Webb of Alexander, of the House of Representatives—51.

Mr. Archer, of the House of Representatives, voted for Mr. Houston.

Mr. Williams, of the House of Representatives, voted for Mr. Happy.

Mr. Wood, of the House of Representatives, voted for Mr. Williams.

Milton K. Alexander, having received a majority of all the votes given, was declared duly elected Commissioner of the Board of Public Works for the fourth judicial circuit.

The two Houses then proceeded to elect a Commissioner of the Board of Public Works for the fifth judicial circuit by joint vote; which, being counted, stood thus:

For Hart Fellows—69.

For Joel Wright—57.

Scattering—2.

Those who voted Hart Fellows, are,

Messrs. Blackwell, Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Harrison, Hunter, Moore, Monroe, Murray, Nunnally, O'Rear, Richardson, Ross, Servant, Thomas, Turney, and Witt, of the Senate; and

Messrs. Allen of Franklin, Allen of Greene, Archer, Baker, Brown, Cunningham, Daley, Dawson, Dubois, Dunn, Edwards, Elliott, Ficklin, Flood, Gilham, Hardin, Henderson, Henry, Holmes, Hull, Jarrott, Johnson, Jones, Kent, Kercheval, Kerr, Lincoln, Lyons, McCutchen, McMillan, McWilliams, Marshall, Menard, Murphy of Cook, Murphy of Vermilion, Naper, Otwell, Philips, Roberts, Roman, George Smith of Madison, Stapp, Thomas of St. Clair, Thornton, Webb of Alexander, and Williams, of the House of Representatives—69.

Those who voted for Joel Wright, are,

Messrs. Allen, Butler, Gaston, Hacker, Hackelton, Hamlin, Herndon, Johnston, Little, Mills, Mitchell, Parrish, Peck, Stadden, Warren, Weatherford, and Wood, of the Senate; and

Messrs. Aldrich, Alexander, Bainbridge, Calhoun, Churchill, Cloud, Compher, Copland, Craig, Crain, Elkin, Emmerson, Fisk, Foster, French,

Gouge, Green of Clay, Green of Greene, Hankins, Happy, Harris, Houston, Huey, Logan, McCormick, Moore, Morgan, Murphy of Perry, Pace, Rawalt, Read, Robinson, Smith of Wabash, Robert Smith of Madison, Thomas of McLean, Walker of Fulton, Walker of Vermilion, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—57.

Mr. Edmonston, of the House of Representatives, voted for Mr. Hackelton.

Mr. Maus, of the House of Representatives, voted for Mr. Williams.

Hart Fellows, having received a majority of all the votes given, was declared duly elected Commissioner of the Board of Public Works for the fifth judicial circuit.

The vote being taken for Commissioner of Public Works for the sixth judicial circuit, stood thus:

Those who voted for A. M. Hunt, are,

Messrs. Gaston, Hackelton, and Wood, of the Senate; and

Messrs. Compher, Foster, Green of Clay, Hankins, Happy, Robinson, and Walker of Fulton, of the House of Representatives—10.

Those who voted for John Dixon, are,

Messrs. Allen Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hacker, Hamlin, Harrison, Herndon, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, and Thomas, of the Senate; and

Messrs. Aldrich, Archer, Baker, Craig, Cunningham, Dawson, Dubois, Dunn, Edwards, Elkin, Elliott, Emmerson, Gilham, Hardin, Henderson, Henry, Holmes, Huey, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Logan, Lyons, McCormick, McCutchen, McMillan, Menard, Morgan, Murphy of Perry, Murphy of Vermilion, Naper, Otwell, Philips, Rawalt, Roberts, Smith of Wabash, George Smith of Madison, Thomas of McLean, Thornton, and Williams, of the House of Representatives—66.

Those who voted for Wm. C. Enos, are,

Messrs. Gibbs, Hunter, Johnston, Nunnally, Parrish, Richardson, Warren, and Weatherford, of the Senate; and

Messrs. Alexander, Allen, of Franklin, Bainbridge Brown, Calhoun, Churchill, Cloud, Copland, Daley, Fisk, Flood, French, Gouge, Houston, McWilliams, Maus, Moore, Murphy of Cook, Robert Smith of Madison, Webb of Alexander, Zimmerman, and Mr. Speaker, of the House of Representatives—30.

Those who voted for John Turney, are,

Messrs. Blackwell, Borough, Mitchell, Stadden, Turney, and Witt, of the Senate; and

Messrs. Kercheval, Marshall, Pace, Read, Roman, Thomas of St. Clair, and Wood, of the House of Representatives—17.

Scattering—3.

John Dixon, having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected Commissioner of Public Works for the sixth judicial circuit in Illinois.

The vote being then taken for Commissioner of Public Works for the seventh judicial circuit, stood thus:

Those who voted for Ebenezer Peck, are,

Messrs. Blackwell, Davidson, Gaston, Gibbs, Hacker, Hackelton, Harrison, Herndon, Hunter, Johnston, Mills, Mitchell, Monroe, Nunnally, Parrish, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Franklin, Bainbridge, Brown, Calhoun, Cloud, Compher, Copland, Crain, Daley, Edmonston, Emmerston, Fisk, Flood, Foster, French, Gouge, Green of Clay, Hankins, Happy, Harris, Houston, Huey, Kercheval, Logan, McWilliams, Marshall, Maus, Moore, Morgan, Murphy of Cook, Murphy of Perry, Naper, Rawalt, Robinson, Roman, Smith of Wabash, Robert Smith, Thomas of St. Clair, Thornton, Walker of Vermilion, Webb of Alexander, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—68.

Those who voted for Lorenzo Leland, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Fletcher, Greer, Little, Moore, Murray, O'Rear, Ross, Servant, and Thomas, of the Senate; and

Messrs. Allen of Greene, Archer, Baker, Churchill, Cunningham, Dawson, Dubois, Edwards, Elkin, Elliott, Gilham, Green of Greene, Hardin, Henderson, Henry, Hull, Johnson, Jones, Kent, Kerr, Lincoln, McCormick, McMillan, Menard, Otwell, Pace, Philips, Roberts, Thomas of McLean, Walker of Fulton, and Williams, of the House of Representatives—45.

Those who voted for Orlando B. Ficklin, are,

Messrs. Jarrott, Lyons, McCutchen, Murphy of Vermilion, and Read, of the House of Representatives—5.

Scattering—7.

Ebenezer Peck, having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected Commissioner of the Board of Public Works for the seventh judicial circuit in Illinois.

The two Houses then proceeded to vote for a President of the Board of Canal Commissioners; which, being counted, stood thus:

For William F. Thornton—79.

For Cyrus Walker—10.

Scattering—34.

Those who voted for Mr. Thornton, are,

Messrs. Allen, Blackwell, Borough, Churchill, Davidson, Gibbs, Hacker, Hamlin, Harrison, Herndon, Little, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Servant, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messr. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Archer, Baker, Bainbridge, Brown, Calhoun, Churchill, Cloud, Craig, Crain, Cunningham, Daley, Edmonston, Edwards, Elkin Elliott, Ficklin, Fisk, French, Green of Clay, Green of Greene, Harris, Houston, Huey, Hull, Johnson, Jones, Kerr, Logan, Lyons, McCutchen, Moore, Murphy of Perry, Murphy of Vermilion, Naper, Otwell, Pace, Philips, Roberts, Roman, Smith, of Wabash, George Smith, Robert Smith, Stapp, Thomas of McLean, Thomas of St. Clair, Walker of Vermilion, Webb of Alexander, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—79.

Those who voted for Mr. Walker, are,
Messrs. Browning and O'Rear, of the Senate; and
Messrs. Dawson, Dubois, Hardin, Henderson, Henry, Kent, Lincoln,
and McMillan, of the House of Representatives—10.

Messrs. Hackelton, Hunter, and Moore, of the Senate; and
Messrs. Emmerson and Flood, of the House of Representatives, voted
for Mr. Weatherford—5.

Messrs. Fletcher, Gaston, and Ross, of the Senate; and
Messrs. Compher, Foster, Hankins, McWilliams, Robinson, and Walker
of Fulton, of the House of Representatives, voted for Mr. Hackelton—9.

Mr. Johnston, of the Senate, and Mr. Gouge, of the House of Representatives, voted for Mr. Cloud—2.

Mr. Butler, of the Senate, voted for Mr. Brown.

Mr. Gatewood, of the Senate, voted blank.

Mr. Greer, of the Senate, voted for Mr. Mills.

Mr. Mills, of the Senate, voted for Mr. Greer.

Mr. Murray, of the Senate, voted for Mr. Butler.

Mr. Copland of the House of Representatives, voted for Mr Gouge.

Mr. Dunn, of the House of Representatives, voted for Mr. Logan.

Mr. Gilham, of the House of Representatives, voted for General Moore.

Mr. Happy, of the House of Representatives, voted for Mr. Williams.

Mr. Holmes, of the House of Representatives, voted for Mr. Moore.

Messrs. Jarrott, McCormick, and Williams, of the House of Representatives, voted for Mr. Happy—6.

Mr. Kercheval, of the House of Representatives, voted for Mr. Murphy of Cook.

Messrs. Marshall and Maus, of the House of Representatives, voted for Mr. Warren—2.

Mr. Morgan, of the House of Representatives, voted for Mr. Holmes.

Mr. Murphy of Cook, of the House of Representatives, voted for Mr. Kercheval.

Mr. Rawalt, of the House of Representatives, voted for Mr. Calhoun.

Mr. Read, of the House of Representatives, voted for Mr. Hacker.

William F. Thornton, having received a majority of all the votes given, was declared duly elected President of the Board of Canal Commissioners.

The two Houses then proceeded to vote for an acting Commissioner of the Board of Canal Commissioners; which, being counted, stood thus:

For Jacob Fry—111.

Scattering—16.

Those who voted for Mr. Fry, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Servant Stadden, Thomas, Turney, Warren, Weatherford, and Witt, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Archer, Baker, Bainbridge, Calhoun, Churchill, Cloud, Compher, Craig, Crain, Cunningham, Daley, Dawson, Dubois, Dunn, Edmonston, Edwards, Elkin, Elliott, Emmerson, Ficklin, Fisk, Flood, Foster, French, Gilham,

Gouge, Green of Clay, Green of Greene, Hankins, Hardin, Harris, Henderson, Henry, Holmes, Hull, Jarrott Johnson, Jones, Kent, Kercheval, Kerr, Lincoln, Logan, McCormick McCutchen, McMillan, McWilliams, Morgan, Murphy of Cook, Murphy of Perry, Naper, Otwell, Pace, Phillips, Rawalt, Read, Roberts, Smith of Wabash, George Smith, Robert Smith, Stapp, Thomas of McLean, Thomas of St. Clair, Thornton, Walker of Fulton, Walker of Vermilion, Williams, and Mr. Speaker, of the House of Representatives—111.

Mr. Wood, of the Senate, and Messrs. Houston, Marshall and Lyons, of the House of Representatives, voted for Mr. Prickett—4.

Messrs. Maus, Moore, Murphy of Vermilion, Robinson, Roman, and Webb of Alexander, of the House of Representatives, voted for Mr. Hardin—6.

Mr. Brown, of the House of Representatives, voted for Mr. Borough.

Mr. Copland, of the House of Representatives, voted for Mr. Hacker.

Mr. Happy, of the House of Representatives, voted for Mr. McCormick.

Mr. Huey, of the House of Representatives, voted for Mr. Fisk.

Mr. Wood, of the House of Representatives, voted for Mr. Jarrott.

Mr. Zimmerman, of the House of Representatives, voted for Mr. Butler.

Mr. Fry, having received a majority of all the votes given, was declared duly elected acting Commissioner of the Board of Canal Commissioners.

The two Houses then proceeded to vote for a Treasurer to the Board of Canal Commissioners; which, being counted, stood thus:

For John A. McClernand—68.

For Peter Menard, jr.—57.

Scattering—2.

Those who voted for John A. McClernand, are,

Messrs. Borough, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Hernon, Hunter, Johnston, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Bainbridge, Brown, Calhoun, Churchill, Cloud, Copland, Craig, Crain, Daley, Edmonston, Fisk, Flood, Foster, French, Gouge, Greene of Clay, Green of Greene, Hankins, Happy, Harris, Houston, Huey, Kercheval, Logan, McWilliams, Marshall, Maus, Moore, Murphy of Cook, Murphy of Perry, Naper, Rawalt, Read, Robinson, Smith of Wabash, Robert Smith, Thomas of St. Clair, Thornton, Walker of Vermilion, Webb of Alexander, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—68.

Those who voted for Peter Menard, jr. are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, and Thomas, of the Senate; and

Messrs. Archer, Baker, Compher, Cunningham, Dawson, Dubois, Dunn, Edwards, Elkin, Elliott, Emmerson, Ficklin, Gilham, Hardin, Henderson, Henry, Holmes, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Lyons, McCormick, McCutchen, McMillan, Morgan, Murphy of

Vermilion, Otwell, Philips, Roberts, George Smith of Madison, Stapp, Thomas of McLean, Walker of Fulton, and Williams, of the House of Representatives—57.

Mr. Pace, of the House of Representatives, voted for Mr. Black.

Mr. Roman, of the House of Representatives, voted for Mr. Hardin.

John A. McClernand, having received a majority of all the votes given, was declared duly elected Treasurer to the Board of Canal Commissioners.

And thereupon, the Senate withdrew to their chamber.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 20, 1839.

Senate met pursuant to adjournment.

Mr. Hackelton presented the petition of sundry citizens of Fulton county, in relation to the improvement of the navigation of Spoon river.

On motion of Mr. Hackelton,

The reading of the same was dispensed with, and referred to the committee on Internal Improvements.

Mr. Butler, from the committee on School Lands and Education, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Genesee Manual Labor High School," reported the same back with sundry amendments thereto; which were read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Nunnally,

The rule of the Senate was dispensed with, said bill read a third time as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

Mr. Hamlin, from the select committee to which was referred the petition of the inhabitants of township seven north, range seven east, in relation to a justice's district, reported a bill for "An act to establish a justice's district in township seven north, range seven east, in Peoria county;" which was read, and

Ordered to a second reading.

Mr. Peck, from the select committee to which was referred a bill for "An act to establish additional judicial circuits in this State, and for other purposes," reported the same back without amendment.

On motion of Mr. Peck,

Laid on the table.

Mr. Browning, on leave given, introduced a bill for "An act in relation to justices of the peace;" which was read, and

Ordered to a second reading.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Hackelton, on leave given, introduced a bill for "An act to incorporate the Spoon River Turnpike Road Company;" which was read, and *Ordered* to a second reading.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Hackelton, Browning, and Churchill, be that committee.

Mr. Churchill, on leave given, introduced a bill for "An act to create the office of superintendent of common schools;" which was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Peck, on leave given, introduced two petitions of the inhabitants of the city of Chicago, praying for relief to the purchasers of canal lots.

On motion of Mr. Peck,

The reading of the same was dispensed with, and referred to the committee on Canals and Canal Lands.

Mr. Warren, on leave given, introduced a bill for "An act regulating elections by the Legislature;" which was read, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, said bill read a second time, and referred to the committee on Elections.

Mr. Churchill, on leave given, introduced a bill for "An act to prevent trespasses on school lands;" which was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Churchill, on leave given, introduced a bill for "An act to prevent corruption and disorder at elections;" which was read, and

Ordered to a second reading.

Mr. Blackwell, on leave given, introduced a bill for "An act concerning the the town of Vandalia;" which was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Blackwell, Wood, and Hunter, be that committee.

Mr. Wood, on leave given, introduced a bill for "An act to incorporate the Nashville Seminary;" which was read, and

Ordered to a second reading.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Wood, Stadden, and O'Rear, be that committee.

Mr. Thomas, on leave given, introduced bills of the following titles, viz :

"An act to incorporate the seminaries therein named;"

"An act to incorporate the Jacksonville and Meredosia Insurance Company;"

"An act to provide for building fire-proof offices in Morgan county;"

"An act to reduce the fees for recording deeds;"

"An act to amend the act, entitled 'An act concerning the conveyance of real property;'" and

"An act to amend the several laws in relation to practice in courts of law."

Which were severally read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, said bills severally read a second time by their titles, and referred to the committee on the Judiciary.

Mr. Richardson, on leave given, introduced a bill for "An act for purposes therein named, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Richardson, Witt, and Wood, be that committee.

Mr. Gaston, on leave given, introduced a bill for "An act describing the mode of expending a part of the money arising from the sale of Salem land which was appropriated to Marion county;" which was read, and

On motion of Mr. Gaston,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

Mr. Peck, on leave given, introduced the following bills, viz :

"An act to prevent emigration into this State from the provinces of Upper and Lower Canada;"

"An act to provide for the improvement of the State road from Chicago to Vincennes;"

"An act fixing the times of holding circuit courts in the seventh judicial circuit;"

"An act to establish an asylum for orphans in the city of Chicago;"

"An act to change the corporate powers of the city of Chicago;" and

"An act to establish a female seminary in Cook county;"

Which were severally read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, said bills read a second time by their titles, and referred to the committee on Finance.

Mr. Herndon, on leave given, introduced a bill for "An act to prevent the introduction of blank bills;" which was read; and

Ordered to a second reading.

A message from the House of Representatives, by Mr. Murphy of Vermilion:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendments to the bills from the House, entitled

"An act to incorporate the Charleston Marine and Fire Insurance Company;"

"An act to organize the county of Carroll;"

"An act to extend the corporate powers of the town of Pekin;" and

"An act concerning a State road in Wabash county."

They have also concurred in the Senate's amendment to the title of the last named bill.

They have likewise concurred with the Senate in the adoption of the preamble and resolutions in relation to the occupation of the Oregon territory; but they do not concur in the adoption of the resolution in relation to the improvement of the Embarrass river. And he withdrew.

Mr. Fletcher, on leave given, introduced a bill for "An act to authorize the county commissioners' court of Sangamon county to furnish the recorder's office of said county with desks, tables, &c.;" which was read, and

Ordered to a second reading.

Mr. Churchill, on leave given, introduced a bill for "An act to provide for the application of the interest of the township and State school funds;" which was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on School Lands and Education.

Mr. Fletcher, on leave given, introduced a bill for "An act to incorporate the Menard Bridge Company;" which was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Fletcher, Browning, and Allen, be that committee.

A message from the Governor, by A. P. Field, Esq., Secretary of State:

Mr. Speaker: I am directed to lay before the Senate a communication in writing. And he withdrew.

Mr. Little, on leave given, introduced a bill for "An act to amend an act, entitled 'An act concerning justices of the peace and constables,'" which was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Gaston, on leave given, introduced a bill for "An act concerning the killing of wolves;" which was read, and

Ordered to a second reading.

On motion of Mr. Gaston,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Gaston, Warren, and Johnston, be that committee.

Mr. Allen, on leave given, introduced a bill for "An act explanatory of an act for the relief of Samuel A. Smallwood;" which was read, and

Ordered to a second reading.

On motion of Mr. Allen,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Monroe, on leave given, introduced a bill for "An act in relation to the town of Charleston, and other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Monroe, Greer, and Herndon, be that committee.

Mr. Fithian, on leave given, introduced a bill for "An act appropriating to Vermilion and Champaign counties one million of dollars;" which was read, and

Ordered to a second reading.

On motion of Mr. Fithian,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Fithian, Murray, and Hamlin, be that committee.

Mr. Stadden, on leave given, presented the petition of sundry citizens of La Salle, Ogle, and Stephenson counties, asking the location of a State road; also the petition of the citizens of Peru, praying the passage of a law authorizing the resurvey of the town of Peru.

On motion of Mr. Stadden,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Stadden, Harrison, and Hackelton, be that committee.

Mr. Greer, on leave given, introduced the following bills, viz:

"An act to authorize the Commissioners of Public Works to change the present location of the Great Western mail-route in certain cases;"

"An act to incorporate the Lawrenceville Academy;"

Which were severally read, and

Ordered to a second reading.

On motion of Mr. Greer,

The rule of the Senate was dispensed with, and said bills read a second time by their titles, and referred to a select committee,

Ordered, That Messrs. Greer, Monroe, and Murray, be that committee.

Mr. Parrish, on leave given, introduced a bill for "An act relating to free schools;" which was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parrish, Ross, and Witt, be that committee.

Mr. Hackelton, on leave given, introduced a bill for "An act relating to the duties of county commissioners;" which was read, and

Ordered to a second reading.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,

Vandalia, Illinois, Feb. 20, 1839.

SIR: A vacancy has been occasioned in the office of the Judge of the first judicial circuit, by the resignation of the Hon. Jesse B. Thomas.

I have the honor to be,

Your obedient servant,

THOMAS CARLIN.

On motion of Mr. Turney,

Laid on the table.

Mr. Johnston, on leave given, introduced bills, entitled

"An act to amend an act, entitled 'An act to establish and maintain a general system of internal improvements;'" and

"An act for the improvement of certain mail-routes therein mentioned;"

Which were severally read, and

Ordered to a second reading.

On motion of Mr. Johnston,

The rule of the Senate was dispensed with, and said bills read a second time by their titles, and referred to a select committee.

Ordered, That Messrs. Johnston, Gatewood, and Mitchell, be that committee.

Mr. Hacker, on leave given, introduced a bill for "An act to devise ways and means to carry on and maintain a general system of internal improvement, without taxing the people;" which was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Internal Improvements.

Mr. Ross offered for adoption the following resolution, which lies one day on the table, viz:

Resolved by the Senate, the House of Representatives concurring herein, That the two Houses meet in the Hall of the House of Representatives on the 20th day of February, instant, at seven o'clock, P. M., for the purpose of electing a judge of the first judicial circuit, to fill the vacancy occasioned by the resignation of Jesse B. Thomas.

On motion of Mr. Turney,

The rule of the Senate was dispensed with, and the resolution now taken up for consideration.

Mr. Witt moved to amend said resolution, by striking out the "20th day of February, instant," and inserting the "first day of March next;" which was not agreed to.

And on the question—"Shall the the resolution be adopted?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the adoption of said resolution.

Mr. Warren, on leave given, introduced a bill for "A State road from Shelbyville, in Shelby county, to Hillsborough, in Montgomery county;" which was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Warren, Nunnally, and Hunter, be that committee.

Mr. Mills, on leave given, introduced a bill for "An act to improve the navigation of the Bon Pas river;" which was read, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Mills, Greer, and Johnston, be that committee.

Mr. Allen, on leave given, introduced a bill for "An act concerning the town of Naples;" which was read, and

Ordered to a second reading.

On motion of Mr. Allen,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Allen, Thomas, and Fletcher, be that committee.

Mr. Churchill, on leave given, introduced a bill for "An act in relation to common schools;" which was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Education.

On motion of Mr. Hamlin,

The bill from the House of Representatives, among the messages, for "An act concerning the public revenue," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to the committee on Finance.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the adoption of the resolution, to bring on the election of a judge in the first judicial circuit, on the 20th inst., 7 o'clock P. M., to fill the vacancy occasioned by the resignation of the Hon. J. B. Thomas, as amended by them.

They amend by adding the following, viz:

"And directors, on the part of the State, for the State Bank of Illinois, and Bank of Illinois."

In which amendment they ask the concurrence of the Senate.

They have concurred in the amendment of the Senate to the bill from the House, entitled "An act to regulate interest on Auditor's warrants." And he withdrew.

On motion of Mr. Ross,

The message from the House of Representatives last received was taken up. The amendment to the Senate's resolution bringing on the election of a judge of the first judicial circuit, was read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to incorporate the Chester Insurance Company;"

"An act to incorporate the Shawneetown Academy, in Gallatin county;"

"An act to amend an act, entitled 'An act to incorporate the Jo Daviess Marine and Fire Insurance Company;'"

"An act to authorize A. and S. S. Phelps to establish a ferry across the Mississippi river, at the town of Oquawka;"

"An act to authorize the county commissioners of Peoria county to change a certain State road."

"An act concerning the town of Lynnville;"

"An act authorizing the building of a bridge across the Des Plaines river;"

"An act to increase the corporate powers of the town of Liberty;"

"An act disposing of the public property in Vandalia;"

"An act to resurvey the town of Mount Vernon;"

"An act declaring the road from Jacksonville to Springfield a State road;"

"An act to incorporate the Union Agricultural Society;"

"An act to change a part of the Grand View and Terre Haute road, in the county of Edgar."

"An act relating to service of process against corporations;" and

"An act authorizing the building of certain bridges, and changing certain appropriations."

And he withdrew.

Mr. Gatewood, from the joint select committee of investigation, appointed by joint resolution of both Houses of the General Assembly, to examine the office of Fund Commissioners, the office of Commissioners of the Board of Public Works, and to examine and inquire into the conduct and management of the various commissioners and their officers under them, made report to the Senate; which,

On motion of Mr. Hacker,

Was, together with the accompanying documents, laid on the table.

On motion of Mr. Hacker,

The bill for "An act further to amend 'An act to maintain a general system of internal improvements,'" some days since laid on the table and ordered to be printed, was taken up.

Mr. Browning moved to amend said bill, by striking out the eleventh section; which was agreed to.

Mr. Hacker moved to amend the same, by adding the following, as an additional section, viz:

"Sec. 38. That when any Commissioner of the Board of Public Works shall resign, or go out of office, he shall be allowed until the next general meeting of the Board, to adjust his accounts with such Board; and if he shall have any moneys in his hands belonging to the State, it shall be his duty to pay the same over to the Fund Commissioners; and if there shall be any money found to be due to such Commissioner, upon such settlement and adjustment of accounts, any balance, it shall be the duty of the Fund Commissioners to pay over the same;" which was agreed to.

Mr. Churchill moved to strike out the 33d section of said bill; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Davidson, Gaston, Greer, Hacker, Mills, Mitchell, Nunnally, Peck, Richardson, Ross, Servant, Stadden, and Warren—16.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Fithian, Fletcher, Gatewood, Gibbs, Hamlin, Harrison, Herndon, Hunter, Johnston, Little, Murray, O'Rear, Parrish, Thomas, Weatherford, Witt, and Wood—19.

Mr. Thomas moved to amend said bill, by striking out the 20th section; which was agreed to,

Mr. Johnston moved to amend, by striking out the 13th section of said bill; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Butler, Hamlin, Hunter, Johnston, Murray, Nunnally, Weatherford and Witt—8.

Those who voted in the negative, are,
Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Harrison, Mills, Mitchell, Monroe, O'Rear, Parrish, Peck, Richardson, Servant, Stadden, Thomas, Warren, and Wood—26.

Mr. Thomas moved to strike out the sixteenth section of said bill.

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Hall of the House for the purpose of electing a Judge of the first judicial circuit, Bank directors, &c.

Whereupon,

The Senate, preceded by their Speaker, proceeded to the Hall of the House of Representatives.

The two Houses then proceeded to vote for a Judge of the first judicial circuit by joint ballot.

When,

Mr. Weatherford nominated William Thomas.

Mr. Calhoun nominated Samuel H. Treat.

Mr. Harrison of the Senate, and Mr. Smith of Wabash, were appointed tellers.

William Thomas—70.

Samuel H. Treat—48.

Scattering—5.

William Thomas, having received a majority of all the votes given, was declared duly elected Judge of the first judicial circuit.

On motion,

The two Houses adjourned the election of Bank directors until Saturday evening, 7 o'clock.

Whereupon, the Senate repaired to their chamber.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 21, 1839.

Senate met pursuant to adjournment.

Mr. Mitchell, from the select committee to which was referred the petition of the inhabitants of Tazewell county, in relation to a ferry at the

town of Pekin, reported the same back, and asked to be discharged from the further consideration of said petition.

On the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Browning, from the committee on the Judiciary, to which was referred the petition of the Society of Friends, in Vermilion county, in relation to a church and burying ground, reported the same back, and asked to be discharged from the further consideration of said petition.

On the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

The question recurring on the question pending at the time of adjournment on yesterday, which was upon striking out the 16th section of the bill, entitled "An act further to amend 'An act to maintain a general system of internal improvement,'"

It was decided in the affirmative.

Mr. Weatherford moved to amend, by striking out the "35th section of said bill;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Butler, Fithian, Greer, Hamlin, Hunter, Johnston, Moore, Murray, Nunnally, O'Rear, Servant, Thomas, Turney, and Weatherford—14.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fletcher, Gaston, Gibbs, Hacker, Hackelton, Harrison, Herndon, Little, Mills, Mitchell, Parrish, Peck, Richardson, Ross, Stadden, Warren, Witt, and Wood—24.

Mr. Thomas moved to reconsider the vote taken on yesterday upon striking out the "33d section of said bill;" which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Churchill, Davidson, Fletcher, Gaston, Greer, Hacker, Hunter, Little, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Servant, Stadden, Thomas, and Warren—21.

Those who voted in the negative, are,

Messrs. Blackwell, Butler, Fithian, Gibbs, Hackelton, Hamlin, Harrison, Herndon, Johnston, Murray, Nunnally, O'Rear, Ross, Turney, Weatherford, Witt, and Wood—17.

The question then recurring on striking out the "33d section of said bill,"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Churchill, Davidson, Fletcher, Gaston, Greer, Hacker, Hackelton, Hunter, Little, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Servant, Stadden, Thomas, and Warren—22.

Those who voted in the negative, are,

Messrs. Blackwell, Butler, Fithian, Gibbs, Hamlin, Harrison, Herndon, Johnston, Murray, Nunnally, O'Rear, Ross, Turney, Weatherford, Witt, and Wood—16.

Mr. Hacker moved to amend the bill, by adding the following, as an additional section, viz:

"Sec. That, from and after the first day of April next, the regular meetings of the Board of Fund Commisisoners and the Commissioners of Public Works shall be held at Springfield;" which was decided in the affirmative.

Mr. Thomas moved to amend the 35th section, by adding the following, as a proviso, viz:

"*Provided, however,* That no survey shall be made of said road until all the companies incorporated to make railroads from Rushville to Erie, or to any other point on the Illinois river above the mouth of Crooked creek, and below the mouth of Sangamon river, shall have relinquished their charters, and surrendered, absolutely and unconditionally, all right to make any such road, and all claim to damages for the right of way or for surrendering their charters;" which was agreed to.

Mr. Witt moved to amend said bill, by adding the following, as an additional section:

"Sec. That it shall be the duty of the Commissioners of the Board of Public Works to cause to be constructed a railroad from Carrollton to the most eligible point on the Illinois river; and for the construction and completion of said road and appendages, the sum of one hundred thousand dollars is hereby appropriated for that purpose, and the Fund Commissioners are hereby required to furnish the funds for the same;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Davidson, Hackelton, Herndon, Mitchell, Peck, Richardson, Stadden, Turney, and Witt—9.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hacker, Hamlin, Harrison, Hunter, Johnston, Little, Mills, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Ross, Servant, Thomas, Warren, Weatherford, and Wood—30.

Mr. Servant moved to amend the 25th section, by adding the following, viz:

"No contract, made without the notice required by law, shall be binding on the State; nor shall any contract, made without such notice, be regarded by the Board of Public Works;" which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hackelton, Hamlin, Hunter, Little, Mills, Moore, Murray, Nunnally, O'Rear, Parrish, Richardson, Ross, Servant, Thomas, Turney, Weatherford, and Witt—28.

Those who voted in the negative, are,

Messrs. Gatewood, Hacker, Harrison, Herndon, Johnston, Mitchell, Monroe, Peck, Stadden, Warren, and Wood—11.

Mr. Monroe moved to amend said bill, by adding the following, as an additional section, viz:

"Sec. It shall be the duty of the Board of Public Works to have all works put under contract in a continuous line, commencing at the terminating points of said road, except in those cases where it may be necessary to put

the works at the crossing of streams or other places under contract in advance of other work, so as to have uniformity in the time of finishing said work;" which was decided in the affirmative.

Mr. Ross moved to amend the bill, by adding the following, as an additional section, viz:

"Sec. That the engineer employed to superintend the improvement of the navigation of the Illinois river is hereby authorized to examine and survey the mouth of the North fork of McKee's creek, in Pike county, as far up as Chambersburgh, and report to the next General Assembly of this State, with such plans and estimates as he may deem expedient."

Mr. Monroe moved to amend the amendment, by adding the following, viz:

"*Provided*, The expense of said survey be paid out of the county funds of Pike county;" which was agreed to.

And the question recurring on the adoption of the amendment as amended,

It was decided in the affirmative.

Mr. Gatewood moved to reconsider the vote just taken on the amendment proposed by Mr. Ross; which was agreed to.

And the question again recurring on the adoption of the amendment as amended,

It was decided in the negative.

Mr. Murray moved to amend, by striking out the "34th section of said bill."

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have passed bills of the following titles, viz:

"An act supplemental to 'An act to establish the counties of Menard, Logan, and Dane;'"

"An act authorizing the improvement of Big Muddy river;"

"An act to incorporate the Mount Carmel Grimke Literary Association;"

"An act to incorporate the Marshall Academy;"

"An act of incorporation of the Fulton County Mutual Fire Insurance Company;"

"An act authorizing the sale of certain real estate therein named;" and

"An act to appoint an additional notary public in the county of Montgomery."

In the passage of which several bills I am directed to request the concurrence of the Senate. And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles, viz:

"An act to incorporate the Liberty Steam Mill Company;"

"An act to extend the powers of the corporation of Shawneetown;"

"An act to provide for the appointment of notaries public;"

"An act making appropriation for a library for the use of the Legislature and Supreme Court;"

"An act to authorize the trustees of schools in township 7 north, range 7 east, to revalue the sixteenth section;" and

"An act to provide for a loan for canal purposes."

And he withdrew.

A message from the House of Representatives, by Mr. Flood:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives refuse to concur in their amendments to bills, entitled

"An act to amend the acts in relation to constables;" and

"An act to grant a compensation to the Brigade Inspector of the first brigade and third division of Illinois militia."

But they do concur in the Senate's amendment to the bill from the House of Representatives, entitled "An act supplementary to 'An act to incorporate the Alton Marine and Fire Insurance Company.'"

The House of Representatives have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That the two Houses will meet in the Hall of the House of Representatives, on Saturday, the 23d instant, at seven o'clock, P. M., for the purpose of electing State's Attorneys for the third, fourth, fifth, sixth, and seventh judicial circuits in this State.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the question pending at the time of adjournment, which was on striking out the 34th section of the bill, entitled "An act further to amend the act, entitled 'An act to maintain a general system of internal improvement,'"

Mr. Murray withdrew his motion;

Whereupon, Mr. Moore moved to amend said bill, by adding the following to the 13th section:

"Also the sum of twenty thousand dollars to be expended on the road from Illinois town, leading through Columbia and Waterloo, in Monroe county, to Prairie Du Rocher and Kaskaskia, in Randolph county; the work to commence at the bridge across Cahokia creek, in the town of Illinois;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Davidson, Greer, Hunter, Moore, Murray, Servant, and Witt—9.

Those who voted in the negative, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Fletcher, Gaston,

Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Herndon, Johnston, Little, Mitchell, Monroe, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Stadden, Thomas, Turney, Warren, Weatherford, and Wood—30.

Mr. Monroe moved to amend said bill, by adding the following to the 25th section, as amended:

"*Provided*, That this shall not be so construed as to apply to the reletting of contracts;" which was agreed to.

Mr. Monroe moved the previous question;

And on the question—"Shall the main question be now put?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Davidson, Fletcher, Gibbs, Hacker, Harrison, Herndon, Little, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Ross, Stadden, Thomas, and Warren—22.

Those who voted in the negative, are,

Messrs. Churchill, Fithian, Gaston, Greer, Hackelton, Hamlin, Hunter, Johnston, Moore, Murray, O'Rear, Servant, Turney, Weatherford, Witt, and Wood—16.

On the question—"Shall the bill be engrossed and read a third time, as amended?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Davidson, Fletcher, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Harrison, Herndon, Little, Mitchell, Monroe, Parrish, Peck, Richardson, Stadden, Warren, and Wood—22.

Those who voted in the negative, are,

Messrs. Browning, Butler, Fithian, Greer, Hamlin, Hunter, Johnston, Moore, Murray, Nunnally, O'Rear, Ross, Servant, Thomas, Turney, Weatherford, and Witt—17.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles, viz:

"An act making further provision for the sale of canal lands;"

"An act to provide for selling water-lots and privileges on the Illinois and Michigan canal;" and

"An act to incorporate the La Salle Charity Hospital."

They have also concurred with the Senate in the passage of the bill, entitled "An act to establish a State road from Mount Sterling, via La Grange, Arenz's mills, and Princeton, to Springfield," as amended by them.

They also amend the title of said bill, by adding the words, "and for attaching part of the county of Shelby to the county of Dane."

In which amendments to said bill and title they ask the concurrence of the Senate. And he withdrew.

A message from the House of Representatives, by Mr. Robert Smith, of Madison:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That the Commissioners of Public Works of this State cause to be surveyed, by some competent engineer, the Mississippi river between the mouth of the Little Piasa creek, at the city of Alton, and Smeltzer's ferry, for the purpose of a site for a bridge across said river, and that they report to the next General Assembly the practicability of constructing said bridge; and, if practicable, the cost of the same; also the cost of constructing a Mcadamized road along the bank of said river from Alton to said site; and, should the report be in favor of said bridge, it shall be the duty of said Commissioners of Public Works to publish said report, and furnish a copy of the same to the Chief Engineer of the United States, and to each of the Senators and Representatives in Congress from this State: *Provided, however,* The aforesaid survey shall not be ordered unless the same can be made without an increased expense to the State.

In the passage of which resolution they ask the concurrence of the Senate. And he withdrew.

On motion of Mr. Peck,

The rule of the Senate was dispensed with;

Whereupon, Mr. Peck, from the committee on Finance, to which was referred a bill from the House of Representatives, entitled "An act concerning the public revenue," reported the same back without amendment, and recommended the passage of said bill.

Mr. Thomas moved to commit said bill to the committee of the Whole Senate, and make it the order of the day for to-morrow; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Fithian, Fletcher, Gaston, Greer, Hunter, Moore, Murray, O'Rear, Ross, Thomas, Turney, Weatherford, and Witt—16.

Those who voted in the negative, are,

Messrs. Borough, Butler, Churchill, Davidson, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Herndon, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Servant, Stadden, Warren, and Wood—24.

Mr. Herndon moved the previous question;

And on the question—"Shall the main question be now put?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Borough, Butler, Churchill, Gatewood, Gibbs, Hacker, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Stadden, and Warren—18.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Davidson, Fithian, Fletcher, Gaston, Greer, Hackelton, Hunter, Johnston, Moore, Murray, Nunnally, O'Rear, Ross, Servant, Thomas, Turney, Weatherford, Witt, and Wood—22.

Mr. Murray moved to amend said bill, by striking out all after the

enacting clause, and inserting "that hereafter all the land tax shall be paid into the State treasury."

Mr. Servant called for a division of the question.

Mr. Witt moved to refer the bill and the proposed amendment to the committee of the Whole, and make them the order of the day for to-day; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Fletcher, Greer, Hunter, *Moore*, *Murray*, O'Rear, Servant, Thomas, Turney, Weatherford, Witt, and Wood—13.

Those who voted in the negative, are,

Messrs. Borough, Browning, Butler, Churchill, Davidson, Fithian, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Herndon, Johnston, Little, *Mills*, *Mitchell*, *Monroe*, Nunnally, Parrish, Peck, Richardson, Ross, Stadden, and Warren—27.

The question recurring on the motion to strike out all after the enacting clause,

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Fithian, Fletcher, Gaston, Greer, Hunter, Johnston, *Moore*, *Murray*, O'Rear, Servant, Thomas, Turney, Weatherford, Witt, and Wood—16.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Davidson, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Herndon, Little, *Mills*, *Mitchell*, *Monroe*, Nunnally, Parrish, Peck, Richardson, Ross, Stadden, and Warren—24.

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative.

Messrs. Allen, Borough, Browning, Butler, Churchill, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Herndon, Little, *Mills*, *Mitchell*, *Monroe*, Nunnally, Parrish, Peck, Richardson, Stadden, and Warren—22.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Fithian, Fletcher, Gaston, Greer, Hunter, Johnston, *Moore*, *Murray*, O'Rear, Ross, Servant, Thomas, Turney, Weatherford, Witt, and Wood—18.

Mr. Hacker moved to dispense with the rule of the Senate, and read said bill now a third time by its title; which was not agreed to.

The question again recurring on the motion, pending at the time of adjournment some days since, to lay the bill for "An act to provide for classifying the works of internal improvement," on the table until the fourth day of July,

On motion,

The Senate adjourned.

FRIDAY, FEBRUARY 22, 1839.

Senate met pursuant to adjournment.

Mr. Weatherford presented the petition and remonstrances of sundry citizens of Morgan county, in relation to a State road in said county.

On motion of Mr. Weatherford,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Weatherford, O'Rear, and Witt, be that committee.

Mr. Peck, from the select committee to which was referred a bill from the House of Representatives, entitled "An act for the formation of Lake county," reported the same back without amendment, and recommended the passage of said bill.

Mr. Stadden moved to amend said bill, by striking out all after the word "that," in the first section, and substitute the following, in lieu of said section, viz:

"All that portion of McHenry county lying east of the centre of range ten east, of the third principal meridian, shall constitute a new county, to be called Lake county;" which was agreed to.

Ordered to a third reading, as amended.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

Mr. Warren, from the select committee to which was referred a bill, entitled "An act for a State road from Shelbyville, in Shelby county, to Hillsboro, in Montgomery county," reported the same back with an amendment; which was read and concurred in.

Ordered, as amended, to be engrossed and read a third time.

On motion of Mr. Witt,

The bill some days since laid on the table, entitled "An act to distribute the interest on a certain fund," was taken up.

Mr. Hamlin moved to refer the same to a select committee; which was not agreed to.

And on the question—"Shall said bill be engrossed and read a third time?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Greer Hunter, Johnston, Moore, Ross, Servant, Turney, Weatherford, and Witt—10.

Those who voted in the negative, are,

Messrs. Borough, Browning, Butler, Churchill, Davidson, Fithian, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Little, Mills, Mitchell, Monroe, Murray, O'Rear, Parrish, Peck, Stadden, Thomas, Warren, and Wood—23.

Mr. Witt moved to dispense with the rule of the Senate, for the purpose of taking up a bill for "An act to distribute the school fund to the several counties in this State;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Gibbs, Greer, Hackelton, Hunter, Johnston, Mills, Monroe, Parrish Richardson, Ross, Servant, Turney, Warren, Weatherford, Witt, and Wood—19.

Those who voted in the negative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Hacker, Hamlin, Harrison, Little, Mitchell, Moore, Murray, O'Rear, Peck, Stadden, and Thomas—19.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to incorporate Kane College;"

"An act to amend an act, entitled 'An act for the relief of the poor,' approved March 1, 1833;"

"An act to vacate the survey and plat of the town of Middletown;"

"An act to build a bridge across Fox river, at Ottawa;"

"An act to incorporate the town of Quincy;"

"An act authorizing the location of a State road through parts of Vermillion and Champaign counties;" and

"An act to provide for the removal of the public offices to Springfield."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled:

"An act to incorporate Kane College;"

"An act to amend an act, entitled 'An act for the relief of the poor,' approved March 1, 1833;"

"An act to vacate the survey and plat of the town of Middletown;"

"An act to build a bridge across Fox river, at Ottawa;"

"An act to incorporate the town of Quincy;"

"An act authorizing the location of a State road through part of Vermillion and Champaign counties;"

"An act to provide for the removal of the public offices to Springfield;"

"An act to locate the county seat of Whiteside county, and to provide for the election of county officers;"

"An act to incorporate the Jefferson Institute;"

"An act to regulate interest on Auditor's warrants;"

"An act concerning certain State roads in the counties of Wabash and Lawrence.

"An act declaring Fox river, in White county, a navigable stream;"

"An act to amend an act to incorporate the Union College of Illinois;" and

"An act for the relief of the trustees of schools in township 6 north, range 8 west, in Madison county."

Mr. Hackelton reported that the above bills were laid before the Council of Revision on yesterday.

On motion of Mr. Weatherford,

The resolution, some days since laid on the table, having for its object the call of a convention for the purpose of amending the Constitution, was taken up;

And on the question—"Shall the resolution be adopted?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Fithian, Hackelton, Hamlin, Harrison, Hunter, Little, Mills, Moore, Monroe, O'Rear,

Richardson, Ross, Servant, Stadden, Thomas, Turney, Warren, Weatherford, and Witt—24.

Those who voted in the negative, are,

Messrs. Borough, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Johnston, Mitchell, Murray, Parrish, Peck, and Wood—13.

Mr. Blackwell, from the select committee to which was referred a bill for "An act concerning the town of Vandalia," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

Mr. Monroe moved to dispense with the rule of the Senate, for the purpose of taking up a bill; which was not agreed to.

The question recurring on the question, pending at the time of adjournment on yesterday, upon laying on the table, until the 4th day of July next, a bill, entitled "An act to provide for classifying the works of internal improvement,"

Mr. Monroe, withdrew his motion to lay on the table until the 4th day of July next.

The question recurring on ordering the bill to a second reading,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Johnston, Moore, Murray, O'Rear, Parrish, Richardson, Ross, Servant, Thomas, Turney, Weatherford, and Witt—21.

Those who voted in the negative, are,

Messrs. Allen, Borough, Gaston, Gatewood, Hacker, Hackelton, Hamlin, Harrison, Little, Mills, Mitchell, Monroe, Peck, Stadden, Warren, and Wood—16.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Monroe moved to lay said bill on the table until the fourth day of July next; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Fletcher, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Little, Mills, Mitchell, Monroe, Parrish, Richardson, Stadden, Warren, and Wood—22.

Those who voted in the negative, are,

Messrs. Browning, Butler, Davidson, Fithian, Greer, Hunter, Johnston, Moore, Murray, O'Rear, Ross, Servant, Thomas, Turney, Weatherford, and Witt—16.

Mr. Warren moved to dispense with the rule of the Senate, for the purpose of taking up a bill; which was not agreed to.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill, entitled "An act to create and establish the county of Jersey."

In the passage of which bill I am directed to ask the concurrence of the Senate.

The House have concurred with the Senate in the passage of a bill,

entitled "An act to relocate a part of the Vincennes and Chicago State road, via Russelville, and to declare a certain road therein named a State road." And he withdrew.

The engrossed bills, entitled

"An act to alter a certain State road in Fayette county;"

"A bill for an act authorizing a survey therein named;"

"An act defining and regulating proceeding in the action of ejectment;" and

"An act to incorporate the Quincy House Company;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

The engrossed bill, entitled "An act further to amend an act, entitled 'An act to establish and maintain a general system of internal improvements,'" was read a third time.

Mr. Murray moved to strike out the 30th section of said bill; which was agreed to.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the question pending at the time of adjournment, which was upon the passage of a bill, entitled "An act further to amend an act, entitled 'An act to establish and maintain a general system of internal improvements,'"

Mr. Hamlin moved to strike out the 35th section of said bill; which was agreed to.

Mr. Greer moved to amend the bill by filling the blank in the "34th section" with the sum of "fifteen thousand dollars;" also to amend said section, by adding the following as a proviso, viz:

"*Provided however*, That the improvement contemplated in this section shall be made in the most economical manner, and with the least possible expense; and, if the aforesaid sum shall not be necessary to effect the object, the balance of the same shall remain subject to the further disposition of the General Assembly;" which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Churchill, Davidson, Gaston, Gatewood, Greer, Hacker, Hackelton, Harrison, Mills, Moore Monroe, Murray, O'Rear, Parrish, Richardson, Stadden, Thomas, Turney, and Warren—
21.

Those who voted in the negative, are,

Messrs. Allen, Browning, Fithian, Fletcher, Gibbs, Hamlin, Hunter, Johnston, Little, Mitchell, Ross, Servant, Weatherford, Witt, and Wood—
15.

Mr. Moore moved to amend said bill, by adding the following to the 33d section; viz:

"And the further sum of five thousand dollars be, and the same is hereby, appropriated to the improvement of the mail-route from Illinois town to Kaskaskia, said improvement to commence at the bridge at Illinois town;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Borough, Greer, Hackelton, Moore, Monroe, Murray, O'Rear, Servant, Thomas, and Turney—10.

Those who voted in the negative, are.

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Hacker, Hamlin, Harrison, Hunter, Jonston, Little, Mills, Mitchell, Parrish, Richardson, Stadden, Warren, Weatherford, Witt, and Wood—26.

Mr. Hackelton moved to reconsider the vote just taken upon the amendment offered by Mr. Greer; which was not agreed to.

Mr. Monroe moved to amend said bill, by adding the following to the 11th section, viz:

"And the Board of Public Works shall cause to be put under contract, as soon as practicable, five miles of the grading, bridging, &c. on the road from Hillsboro to Carlinville, and also five miles of said road between Hillsboro and Shelbyville, beginning at Hillsboro;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Borough, Churchill, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Harrison, Hunter, Mills, Mitchell, Monroe, Peck, Richardson, Stadden, and Warren—17.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Fithian, Gaston, Hackelton, Hamlin, Johnston, Little, Moore, Murray, O'Rear, Ross, Servant, Thomas, Weatherford, Witt, and Wood—18.

Mr. Stadden moved the previous question.

And on the question—"Shall the main question be now?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fletcher, Gatewood, Hacker, Harrison, Hunter, Little, Mills, Mitchell, Monroe, Murray, Parrish, Peck, Richardson, Stadden, Thomas, Warren, Weatherford, and Wood—24.

Those who voted in the negative, are,

Messrs. Fithian, Gaston, Gibbs, Greer, Hackelton, Johnston, Moore, O'Rear, Ross, Servant, and Witt—11.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Davidson, Fletcher, Gaston, Gatewood, Greer, Hacker, Hackelton, Harrison, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Stadden, Warren, and Wood—21.

Those who voted in the negative, are,

Messrs. Browning, Fithian, Gibbs, Hunter, Johnston, Little, Moore, Murray, O'Rear, Ross, Servant, Thomas, Weatherford, and Witt—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Prickett, their Clerk;

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have passed a bill, entitled "An act to define the duties of officers connected with the internal improvement system."

In the passage of which they ask the concurrence of the Senate. And he withdrew.

On motion,

The Senate adjourned.

SATURDAY, FEBRUARY 23, 1839.

Senate met pursuant to adjournment.

Mr. Stadden, from the committee on Canals and Canal Lands, to which were referred the petitions of sundry citizens of the city of Chicago, praying for relief, reported a bill for "An act for the relief of purchasers of canal lots and lands, and for other purposes;" which was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to be engrossed and read a third time.

On motion of Mr. Thomas,

The rule of the Senate was further dispensed with, and said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Harrison, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Wapello Manufacturing Company," reported the same back with sundry amendments thereto; which were read and concurred in.

Ordered to a third reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments thereto.

Mr. Wood presented the petition of sundry citizens of Perry county, asking the relocation of a part of the St. Louis and Shawneetown road in said county.

On motion of Mr. Wood,

Laid on the table.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to amend the several acts concerning administrators and apprentices," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

Mr. Browning, from the same committee, to which was referred a bill, entitled "An act to amend an act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties," together with the amendments of the House of Representatives to said bill, reported the same back, and recommended the rejection of all the amendments of the House of Representatives, except the first amendment to the third section.

On the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Little, from the same committee, to which was referred a bill for "An act relating to the duties of county commissioners," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with the Senate in the passage of the bills, entitled

"An act respecting section 16, in township 2 south, in range 14 west, in Edwards county;"

"An act to locate a certain road therein named;"

"An act to extend the corporate powers of the president and trustees of the town of Belleville;"

"An act to legalize the survey of certain State roads;"

"An act to incorporate the town of Kankakee;"

"An act to amend the act incorporating the New Canton and Piketon Railroad Company;"

"An act to change part of the Phillips' ferry road in Morgan county;"

"An act relating to towns therein named;" and

"An act to locate a certain State road therein mentioned."

They have passed bills, entitled

"An act to relocate a part of the State road from Mount Vernon to Nashville;"

"An act to establish the county of Williamson;"

"An act to authorize a relocation of a State road therein named;"

"An act to amend 'An act to incorporate the Quincy, Griggsville, Jacksonville, and Springfield, Turnpike Company;'"

"An act to vacate the town plat of East Lockport;"

"An act for the benefit of the town of Greenville;"

"An act to incorporate the Commerce Hotel Company;"

"An act to authorize Nathaniel G. Wilcox and his associates to establish a ferry across the Mississippi river, at the most convenient point opposite the town of Bloomington;"

"An act to incorporate the Hamilton Seminary;" and
"An act to create the county of Lee from the county of Ogle."

In the passage of which several bills they ask the concurrence of the Senate.

They have also passed the bills from the Senate, entitled

"An act for the relief of Calhoun county;"

"An act to locate a State road therein named;" and

"An act dividing the State into judicial circuits;" as amended by them.
In which amendments they ask the concurrence of the Senate.

And he withdrew.

A message from the Council of Revision, by Mr. McLean, their Secretary :

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to amend an act to incorporate the Union College of Illinois;"

"An act to provide for the appointment of notaries public;"

"An act making appropriation for a library for the use of the Legislature and Supreme Court;"

"An act to authorize the trustees of schools in township 7 north, range 7 east; to revalue the sixteenth section;"

"An act to incorporate the German Library Society of St. Clair county;"

"An act to change part of the State road from Peoria to Knoxville, in Knox county, and for other purposes;"

"An act to provide for selling water-lots and privileges on the Illinois and Michigan canal;"

"An act to relocate a part of the State road from Calhoun county to Schuyler county;" and

"An act making further provision for the sale of canal lands."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled :

"An act to relocate a part of the State road from Calhoun county to Schuyler county;"

"An act making further provision for the sale of canal lands;"

"An act to provide for the appointment of notaries public;"

"An act act making an appropriation for a library for the use of the Legislature and Supreme Court;"

"An act to provide for selling water-lots and privileges on the Illinois and Michigan canal;"

"An act to incorporate the German Library Society of St. Clair county;"

"An act to change a part of a State road from Peoria to Knoxville, in Knox county, and for other purposes;"

"An act to authorize the trustees of schools in township seven north, range seven east, to revalue the sixteenth section;"

"An act to provide for a loan for canal purposes;"

"An act to amend an act, entitled 'An act to protect the canal lands against trespasses,' approved March 4, 1837;"

"An act to organize the county of Carroll;"

"An act to review and relocate a part of the State road leading from Springfield to Decatur;"

"An act concerning the road from Warsaw to Quincy;"

"An act to authorize Amzi Doolittle to keep a ferry across the Mississippi river;"

"An act to locate a State road from Mount Sterling, in Brown county, to Macomb, in McDonough county;"

"An act to change part of a State road therein named;"

"An act to incorporate the Elgin Academy;"

"An act to change the name of the town of Leesburg;" and

"An act to vacate the plat of the town of Savannah, in Iroquois county;" as amended to obviate the objections of the Council of Revision.

Mr. Hackelton, from the same committee, reported that, on yesterday, they laid the above named bills before the Council of Revision.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to provide for the probate of wills in certain cases," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Hamlin,

The bill contained in the message just received, entitled "An act dividing the State into judicial circuits," was taken up;

And the amendments of the House of Representatives to said bill were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill, entitled "An act to provide for an increase of facilities in procuring laborers on the public works," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

Mr. Stadden, from the committee on Canals and Canal Lands, to which was referred the petition of the members of the Baptist church and others, of the city of Chicago, praying the grant of a lot of land therein named, reported the same back, and asked to be discharged from the further consideration of said petition; which was agreed to.

Mr. Wood, from the committee on Petitions, to which were referred the several petitions of the citizens of La Salle, Kane, and DeKalb counties praying the formation of a new county, reported the same back, and asked to be discharged from a further consideration of said petitions; which was agreed to.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act providing for the temporary appointment of an Attorney General to prosecute in the second judicial circuit," reported the same back without amendment, and recommended the rejection of said bill.

On the question—"Shall the bill be read a third time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representative thereof.

Mr. Gatewood, from the committee on Internal Improvements, to which was referred a bill for "An act to devise ways and means to carry on and maintain a general system of internal improvement without taxing the people," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed and read a third time, as amended.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Mr. Gatewood moved to amend the title of said bill, so as to make it read, "An act authorizing the settlement of the accounts of James Turney, late Attorney General;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Allen, from the select committee to which was referred a bill for "An act concerning the town of Naples," reported the same back with an amendment; which was read, and,

On motion of Mr. Hacker,

Said bill and amendment were laid on the table.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the passage of the bill, entitled "An act to amend the several laws in relation to the Illinois and Michigan canal."

The House recede from their amendments to the bill from the Senate, entitled "An act providing for the improvement of certain roads in Edgar county." And he withdrew.

Mr. Turney, from the committee on the Judiciary, to which was referred a resolution instructing them to report a bill increasing the compensation now allowed to the Governor and judicial officers of the State, reported a bill, entitled "An act fixing the salaries of circuit judges;" which was read, and,

On the question—"Shall the bill be read a second time?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Churchill, Davidson, Fithian, Fletcher, Gaston, Greer, Hamlin, Harrison, Mills, Monroe, O'Rear, Ross, Stadden, Thomas, and Turney—17.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Butler, Gatewood, Gibbs, Hacker, Hunter, Johnston, Little, Mitchell, Moore, Murray, Nunnally, Parrish, Peck, Richardson, Servant, Warren, Weatherford, Witt, and Wood—21.

Mr. Stadden, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to add range one to the counties of Marshall and Putnam," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Mr. Stadden moved to amend the title of said bill, so as to make it read, "An act to authorize Daniel F. Hitt to build a mill-dam;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

Mr. Fletcher, from the select committee to which was referred a bill for "An act supplemental to the act incorporating the Beardstown and Sangamon Canal Company," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, (two-thirds of the House voting for the same,) which I am requested to lay before the Senate, viz:

Resolved by the General Assembly of the State of Illinois, two-thirds concurring herein, That it be recommended to the electors of the State of Illinois, at their next general election for members of the General Assembly, to vote for or against a convention to amend the constitution of this State. And he withdrew.

Mr. Hacker, from the committee on Finance, to which was referred a bill for an act to prevent emigration into this State, from the provinces of Upper and Lower Canada," reported the same back with an amendment; which was read.

Mr. Nunnally moved to amend said amendment, by adding the following, viz:

"Provided further, That no person shall be permitted to take, under the provisions of this law, any greater extent of the front of any lot than is taken of the rear;" which was agreed to.

And on the question—"Will the Senate concur with the committee in their amendment, as amended?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Davidson, Gibbs, Hacker, Hackelton, Hunter, Little, Nunnally, Parrish, Peck, Richardson, Servant, Stadden, Turney, and Warren—14.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Greer, Hamlin, Johnston, Mills, Mitchell, Moore, Monroe, Murray, O'Rear, Ross, Thomas, Weatherford, Witt, and Wood—23.

On motion of Mr. Hacker,

Said bill was referred to the committee on Internal Improvements.

Mr. Richardson, from the committee on Elections, to which was referred a bill for "An act regulating elections by the Legislature," reported the same back without amendment, and recommended the rejection of said bill.

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative.

Mr. Thomas, from the committee on the Judiciary, to which were referred the petitions from the inhabitants of the different counties in this State upon the subject of repealing and modifying the laws regulating the sale of ardent spirits, reported that a bill has already passed the Senate, embracing all the provisions deemed expedient at present, and therefore asked to be discharged from the further consideration of said petitions.

On the question—"Will the Senate concur with the committee in their report?"

It was decided in the negative.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill for "An act to incorporate the Springfield Academy in the county of Sangamon," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

On motion of Mr. Ross,

The resolution from the House of Representatives having for its object the election of circuit attorneys in the several circuits in this State, was taken up; and

Mr. Peck moved to amend said resolution, by inserting after the word "electing," the words "three fund commissioners;" which was not agreed to.

Mr. Ross moved to amend said resolution, by adding, after the word "seventh," the following "1st, 8th, and 9th;" also "judge of the 8th and 9th judicial circuits;" which was agreed to.

The question recurring on concurring with the House of Representatives in the adoption of said resolution,

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Stadden, from the select committee to which was referred the petition of the citizens of Peru, in relation to said town, reported a bill, entitled "An act to authorize the resurvey of the town of Peru, in La Salle county;" which was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Speaker laid before the Senate the following communication from the President of the Board of Public Works, viz:

CENTRAL INTERNAL IMPROVEMENT OFFICE,
Vandalia, February 22, 1839.

To the Hon. the PRESIDENT OF THE SENATE
of the State of Illinois.

SIR: In our report to the Senate, on the 12th inst., in answer to a resolution calling for information on various subjects connected with the system of internal improvements, the Board inadvertantly omitted referring your honorable body to their report to the Governor in December last, which was submitted by him to the Legislature, as containing a considerable portion of the information asked for in said resolution. They therefore respectfully refer the honorable Senate to said report.

Respectfully,

Your obedient servant,

WILLIAM KINNEY,

President B. P. W.

WILLIAM PRENTISS, *Secretary B. P. W.*

Which was read, and,

On motion of Mr. Servant,

Laid on the table.

The engrossed bill, entitled "An act to incorporate the Golconda Seminary," was read a third time, and,

On motion of Mr. Gatewood,

Referred to a select committee.

Ordered, That Messrs. Gatewood, Gibbs, and Hamlin, be that committee.

The engrossed bills, entitled

"An act to amend the act concerning marriages;"

"An act to provide for the increase of facilities in procuring laborers on the public works;"

"An act for a State road from Shelbyville, in Shelby county to Hillsboro, in Montgomery county;"

"An act concerning the town of Vandalia;"

"A bill describing the mode of expending a part of the money arising from the sale of saline land which was appropriated to Marion county;"

"An act for the relief of Wm. Hick and Timothy Guard;"

"An act to provide for the distribution of certain funds heretofore appropriated to certain counties for purposes of internal improvement;"

"An act supplemental to the act incorporating the Beardstown and Sangamon Canal Company;" and

"An act relating to the duties of county commissioners;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have passed a bill of the following title, viz: "An act to authorize the Governor to appoint Bank directors."

In the passage of which I am directed to ask the concurrence of the Senate.

They have concurred in the amendment of the Senate to the resolution from the House, appointing 7 o'clock this evening for the purpose of electing State's Attorneys, &c. And he withdrew.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved an act of the following title, viz: "An act dividing the State into judicial circuits."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles, viz:

"An act to incorporate the Mount Carmel Female Seminary;"

"An act to change a part of a State road leading from Equality to Vienna;"

"An act to relocate the seat of justice of Iroquois county;"

"An act to vacate the town plat of the town of Auburn;"

"An act to authorize L. D. Hillerman to build a mill-dam across the Little Wabash river, in Clay county;"

"An act to incorporate the Illinois Mutual Fire Insurance Company;"

"An act to extend the powers of the corporation of Shawneetown;"

"An act to locate a State road from Monmouth, in Warren county, to Illinois city, in Rock Island county;"

"An act to establish the Illinois Asylum for the education of the deaf and dumb;"

"An act to extend the corporate powers of the town of Pekin;"

"An act to regulate public carriages and the law of the road;"

"An act to relocate a part of the Vincennes and Chicago State road, via Russelville, and to declare a certain road therein named a State road;"

"An act to incorporate the Liberty Steam Mill Company;"

"An act to incorporate the La Salle Charity Hospital;"

"An act to provide for a loan for canal purposes;" and

"An act dividing the State into judicial circuits."

Mr. Hackelton, from the same committee, reported that, on this day, they laid the above mentioned bills before the Council of Revision.

A bill for "An act to prevent the introduction of blank bills," was read a second time, and,

On motion of Mr. Blackwell,

Referred to a select committee.

Ordered, That Messrs. Blackwell, Herndon, and Servant, be that committee.

A bill for "An act to prevent corruption and disorder at elections," was read.

Mr. Little moved to indefinitely postpone said bill; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Hackelton, Harrison, Hunter, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, O'Rear, Parrish, Peck, Stadden, Warren, Weatherford, Witt, and Wood—24.

Those who voted in the negative, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Hamlin, Moore, Murray, Richardson, Ross, Servant, and Thomas—12.

The bills, entitled

"An act to authorize the county commissioners' court of Sangamon county to furnish the recorder's office of said county with desks, tables, &c.;" and

"An act to establish a justice's district in township seven north, range seven east, in Peoria county;"

Were severally read, and

Ordered to be engrossed and read a third time.

The bill from the House of Representatives, entitled "An act making the office of school commissioner elective by the people," was read a third time, as amended;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Fithian, Gaston, Hackelton, Hunter, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Ross, Stadden, Turney, Warren, Weatherford, Witt, and Wood—22.

Those who voted in the negative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Hamlin, Harrison, Moore, Murray, O'Rear, Servant, and Thomas—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, entitled "An act to authorize the Governor to appoint Bank directors," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ross, Gatewood, and Thomas, be that committee.

The bill from the House of Representatives, entitled "An act to provide for securing, to mechanics and others, liens for the value of labor and materials," was read a third time;

And on the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Butler, Churchill, Greer, Hackelton, Little, Moore, Monroe, Murray, O'Rear, Richardson, Ross, Servant, Thomas, Turney, and Weatherford—18.

Those who voted in the negative, are,

Messrs. Allen, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Hacker, Hamlin, Harrison, Hunter, Johnston, Mills, Mitchell, Nunnally, Parrish, Peck, Stadden, Warren, Witt, and Wood—21.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Ross,

The rule of the Senate was dispensed with; and

Mr. Ross, from the select committee to which was referred the bill from the House of Representatives, entitled "An act to authorize the Governor to appoint Bank directors," reported the same back with several amendments thereto; which were read.

Mr. Weatherford called for a division of the question.

The question being first taken on adding, after the word "shall," in the first section and third line, the words "during the present session,"

It was decided in the affirmative.

Mr. Stadden called for a further division of the question;

And the question being taken on striking out the third section of said bill,

It was decided in the affirmative.

And the question recurring on the adoption of the amendment of the committee to said section,

It was decided in the negative.

On the question—"Shall the bill, as amended, pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have passed a bill of the following title, viz: "An act making appropriations for the years 1839 and 1840;"

In the passage of which they ask the concurrence of the Senate. And he withdrew.

The bill from the House of Representatives, entitled "An act concerning the public revenue," was read a third time.

Mr. Gatewood moved to amend said bill, by adding the following, as a ryder, viz:

"That all lands lying within the limits of this State shall be divided into first, second, and third classes; and the first class shall be valued at not less than four dollars per acre; the second class at not less than three dollars per acre; and the third class at not less than two dollars per acre."

Mr. Monroe moved to amend the ryder, by adding the following, viz:

"*Provided*, That no land in this State shall be valued at less than one dollar and twenty-five cents per acre."

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Hardin:

Mr. Speaker: I am directed by the House of Representatives to inform

the Senate that they are now ready to receive them in the Hall of the House, for the purpose of electing State's Attorneys, Judges, &c. And he withdrew.

Whereupon, the Senate, preceded by their Speaker, repaired to the Hall of the House of Representatives, and the two Houses proceeded to vote for a State's Attorney for the third judicial circuit; which, being counted, stood thus:

For William Stickney—60.

For ——— Cauldwell—56.

Scattering—2.

Those who voted for Mr. Stickney, are,

Messrs. Allen, Borough, Butler, Fithian, Gatewood, Hacker, Hackelton, Johnston, Mills, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Allen of Franklin, Bainbridge, Brown, Churchill, Cloud, Compher, Crain, Daley, Edmonston, Elliott, Ficklin, Fisk, Foster, French, Gouge, Green of Clay, Green of Greene, Happy, Harris, Logan, Lyons, McCormick, McMillan, McWilliams, Moore, Morgan, Murphy of Cook, Murphy of Perry, Naper, Pace, Robinson, Roman, Smith of Wabash, Robert Smith of Madison, Thomas of St. Clair, Walker of Vermilion, Wood, and Zimmerman, of the House of Representatives—60.

Those who voted for Mr. Cauldwell, are,

Messrs. Blackwell, Browning, Churchill, Davidson, Gibbs, Greer, Hamlin, Harrison, Little, Moore, Murray, O'Rear, Ross, Servant, Thomas, and Turney, of the Senate; and

Messrs. Aldrich, Alexander, Archer, Baker, Calhoun, Craig, Cunningham, Dawson, Dubois, Dunn, Edwards, Elkin, Emmerson, Gilham, Hardin, Henderson, Henry, Holmes, Houston, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, McCutchen, Marshall, Menard, Murphy of Vermilion, Otwell, Philips, Rawalt, Read, George Smith of Madison, Thomas of McLean, Thornton, Walker of Fulton, Williams, and Mr. Speaker, of the House of Representatives—56.

Mr. Kercheval, of the House of Representatives, voted for Mr. Marshall.

Mr. Stickney, having received a majority of all the votes given, was declared duly elected State's Attorney for the third judicial circuit.

The two Houses then proceeded to vote for a State's Attorney for the fourth judicial circuit; which, being counted, stood thus:

For Mr. Brown—45.

For Mr. Garland B. Shellady—45.

For Mr. Canterbury—22.

For Mr. U. F. Linder—3.

Scattering—2.

Those who voted for Mr. Brown, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Johnston, Mills, Mitchell, Moore, Murray, Parrish, Ross, Servant, Stadden, Thomas, Turney, and Wood, of the Senate; and

Messrs. Aldrich, Baker, Calhoun, Daley, Dubois, Edwards, Elkin, Elliott, Emmerson, Hardin, Harris, Henderson, Holmes, Hull, Jarrott,

Lyons, Murphy of Cook, Murphy of Vermilion, Naper, Otwell, Rawalt, Walker of Fulton, and Walker of Vermilion, of the House of Representatives—45.

Those who voted for Mr. Shellady, are,

Messrs. Borough, Davidson, Greer, Nunnally, O'Rear, Warren, Weatherford, and Witt, of the Senate; and

Messrs. Allen of Franklin, Allen of Greene, Archer, Brown, Churchill, Cloud, Copland, Dawson, Edmonston, Flood, Foster, French, Gilham, Green of Clay, Green of Greene, Happy, Henry, Houston, Jones, Kerr, McCormick, McMillan, McWilliams, Menard, Moore, Morgan, Murphy of Perry, Pace, Philips, Robinson, Roman, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas of McLean, Williams, and Mr. Speaker, of the House of Representatives—45.

Those who voted for Mr. Canterbury, are,

Messrs. Blackwell, Gatewood, Little, Monroe, and Peck, of the Senate; and

Messrs. Alexander, Bainbridge, Compher, Craig, Cunningham, Dunn, Ficklin, Fisk, Johnson, Kent, Kercheval, Lincoln, McCutchen, Read, Thomas of St. Clair, Thornton, and Zimmerman, of the House of Representatives—22.

Messrs. Richardson, of the Senate, and Smith of Wabash and Wood, of the House of Representatives, voted for Mr. Linder—3.

No person having received a majority of all the votes given, the two Houses proceeded to take a second vote; which, being counted, stood thus:

For Mr. Brown—59.

For Mr. Shellady—61.

For Mr. Black—1.

Those who voted for Mr. Brown, are,

Messrs. Allen, Browning, Butler, Churchill, Fithian, Fletcher, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Johnston, Little, Mills, Mitchell, Moore, Murray, Ross, Servant, Stadden, Thomas, Turney, and Wood, of the Senate; and

Messrs. Aldrich, Baker, Calhoun, Craig, Dubois, Dunn, Edwards, Elkin, Elliott, Emmerson, Gouge, Hardin, Harris, Henderson, Henry, Holmes, Hull, Jarrott, Johnson, Kent, Lincoln, Logan, Lyons, McCormick, McCutchen, Marshall, Murphy of Cook, Murphy of Vermilion, Naper, Otwell, Rawalt, Read, Walker of Fulton, Walker of Vermilion, and Wood, of the House of Representatives—59.

Those who voted for Mr. Shellady, are,

Messrs. Blackwell, Borough, Davidson, Greer, Monroe, Nunnally, O'Rear, Parrish, Peck, Warren, Weatherford, and Witt, of the Senate; and

Messrs. Alexander, Allen of Franklin, Allen of Greene, Archer, Bainbridge, Brown, Carpenter, Churchill, Cloud, Compher, Copland, Cunningham, Daley, Dawson, Edmonston, Ficklin, Fisk, Flood, Foster, French, Gilham, Green of Clay, Green of Greene, Happy, Houston, Jones, Kercheval, Kerr, McMillan, McWilliams, Maus, Menard, Moore, Morgan, Murphy of Perry, Pace, Philips, Robinson, Roman, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas

of McLean, Thomas of St. Clair, Thornton, Williams, Zimmerman, and Mr. Speaker, of the House of Representatives—61.

Mr. Crain, of the House of Representatives, voted for Mr. Black.

Mr. Shellady, having received a majority of all the votes given, was declared duly elected State's Attorney for the fourth judicial circuit.

The two Houses then proceeded to vote for a State's Attorney for the fifth judicial circuit; which, being counted, stood thus:

For Mr. Perkins—50.

For Mr. Warren—15.

For Mr. William Elliott—52.

For Mr. Darling—3.

Those who voted for Mr. Perkins, are,

Messrs. Allen, Blackwell, Churchill, Davidson, Fithian, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Turney, of the Senate; and

Messrs. Baker, Copland, Craig, Dunn, Edwards, Elkin, Emmerson, Ficklin, Gilham, Hardin, Henderson, Holmes, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lyons, McCormick, McCutchen, Menard, Murphy of Perry, Murphy of Vermilion, Otwell, Philips, Read, George Smith of Madison, Stapp, Thomas of McLean, and Thornton, of the House of Representatives—50.

Those who voted for Mr. Warren, are,

Messrs. Browning, Fletcher, and Nunnally, of the Senate; and

Messrs. Aldrich, Allen of Greene, Bainbridge, Brown, Daley, Edmonston, Flood, French, Gouge, Logan, Naper, and Walker of Vermilion, of the House of Representatives—15.

Those who voted for Mr. Elliott, are,

Messrs. Borough, Gatewood, Gibbs, Hacker, Hackelton, Johnston, Mitchell, Parrish, Peck, Richardson, Stadden, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Alexander, Allen of Franklin, Calhoun, Carpenter, Churchill, Cloud, Compher, Crain, Cunningham, Dawson, Elliott, Fisk, Foster, Green of Clay, Green of Greene, Happy, Harris, Houston, Kercheval, Lincoln, McWilliams, Marshall, Maus, Moore, Morgan, Murphy of Cook, Pace, Rawalt, Robinson, Roman, Smith of Wabash, Robert Smith of Madison, Thomas of St. Clair, Walker of Fulton, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—52.

Those who voted for Mr. Darling, are,

Messrs. Archer, McMillan, and Williams, of the House of Representatives—3.

Mr. Dubois, of the House of Representatives, voted for Mr. Black.

No person having received a majority of all the votes given, the two Houses proceeded to take a second vote; which, being counted, stood thus:

For Mr. Perkins—55.

For Mr. Elliott—60.

Scattering—5.

Those who voted for Mr. Perkins, are,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Turney, of the Senate; and

Messrs. Archer, Baker, Copland, Craig, Dunn, Edwards, Elkin, Elliott, Gilham, Hardin, Henderson, Henry, Holmes, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Logan, Lyons, McCormick, McCutchen, Marshall, Menard, Murphy of Vermilion, Otwell, Philips, Read, George Smith of Madison, Stapp, Thomas of McLean, Thornton, and Williams, of the House of Representatives—55.

Those who voted for Mr. Elliott, are,

Messrs. Borough, Gatewood, Gibbs, Hacker, Hackelton, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Alexander, Allen of Franklin, Allen of Greene, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Cloud, Compher, Crain, Cunningham, Daley, Dawson, Edmonston, Fisk, Foster, French, Gouge, Green of Greene, Happy, Harris, Houston, Kercheval, McMillan, McWilliams, Maus, Moore, Morgan, Murphy of Cook, Murphy of Perry, Naper, Pace, Rawalt, Robinson, Roman, Smith of Wabash, Robert Smith of Madison, Thomas of St. Clair, Walker of Fulton, Walker of Vermilion, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—60.

Messrs. Aldrich, Dubois, Emerson, Flood, and Green of Clay, of the House of Representatives, voted blank—5.

No person having received a majority of all the votes given, the two Houses proceeded to a third vote; which, on being counted, stood thus:

For Mr. Elliott—61. For Mr. Perkins—58. Scattering—1.

Those who voted for Mr. Elliott, are,

Messrs. Borough, Gatewood, Gibbs, Hacker, Hackelton, Johnston, Mitchell, Nunnally, Parrish, Peck, Richardson, Stadden, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Alexander, Allen of Franklin, Allen of Greene, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Cloud, Compher, Crain, Daley, Edmonston, Fisk, Flood, Foster, French, Gouge, Green of Clay, Green of Greene, Happy, Harris, Houston, Kercheval, Logan, McWilliams, Maus, Moore, Morgan, Murphy of Cook, Murphy of Perry, Naper, Pace, Rawalt, Robinson, Roman, Smith of Wabash, Robert Smith of Madison, Thomas of St. Clair, Walker of Fulton, Walker of Vermilion, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—61.

Those who voted for Mr. Perkins, are,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, and Turney, of the Senate; and

Messrs. Archer, Baker, Copland, Craig, Cunningham, Dubois, Dunn, Edwards, Elkin, Elliott, Ficklin, Gilham, Hardin, Henderson, Henry, Holmes, Hull, Jarrott Johnson, Jones, Kent, Kerr, Lincoln, Lyons, McCormick, McCutchen, McMillan, Marshall, Menard, Murphy of Vermilion, Otwell, Philips, Read, George Smith of Madison, Stapp, Thomas of McLean, Thornton, and Williams, of the House of Representatives—58.

Mr. Aldrich, of the House of Representatives, voted blank.

Mr. Elliott, having received a majority of all the votes given, was declared duly elected State's Attorney for the fifth judicial circuit.

The two Houses then proceeded to vote for a State's Attorney for the sixth judicial circuit; which, being counted, stood thus:

For Mr. Shelton L. Hall—87. Scattering—34.

Those who voted for Mr. Hall, are,

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fithian, Gatewood, Greer, Hacker, Hackelton, Hamlin, Harrison, Johnston, Mills, Mitchell, Moore, Murray, Nunnally, O'Rear, Parrish, Ross, Servant, Stadden, Thomas, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Allen of Greene, Archer, Baker, Bainbridge, Brown, Calhoun, Churchill, Cloud, Compher, Copland, Craig, Dawson, Dunn, Edmonston, Edwards, Elkin, Emmerson, Fisk, Flood, Foster, French, Gilham, Gouge, Green of Clay, Green of Greene, Harris, Henderson, Henry, Holmes, Houston, Hull, Jones, Kent, Kercheval, Kerr, Lincoln, Logan, Lyons, McCormick, McCutchen, McMillan, Marshall, Moore, Naper, Philips, Rawalt, Robinson, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Thomas of McLean, Thomas of St. Clair, Thornton, Walker of Fulton, Walker of Vermilion, Zimmerman, and Mr. Speaker, of the House of Representatives—87.

Mr. Fletcher, of the Senate, voted for Mr. Craig.

Gibbs,	"	for	Flood.
Little,	"	for	Peck.
Peck,	"	for	Little.
Richardson,	"	for	Fletcher.
Turney,	"	for	Peck.

Alexander, of the House of Representatives, for Mr. Johnston.

Allen of Franklin,	"	for	Turney.
Carpenter,	"	for	Giobs.
Crain,	"	for	Hardin.
Cunningham,	"	for	Harrison.
Daley,	"	for	Craig.
Elliott,	"	for	Happy.
Ficklin,	"	for	Craig.
Happy,	"	for	Elliott.
Hardin,	"	for	Crain.
Jarrott,	"	for	Ficklin.
Johnson,	"	for	Jarrott,
McWilliams,	"	for	Gibbs.
Maus,	"	for	Kercheval.
Menard,	"	for	Johnston.
Morgan,	"	for	Hacker.
Murphy of Cook,	"	for	Craig.
Murphy of Perry,	"	for	Ficklin.
Murphy of Vermilion,	"	for	Zimmerman
Otwell,	"	for	Green of G.
Pace,	"	for	Hardin.
Read,	"	for	Jarrott.
Roman,	"	for	Hardin.
Stapp,	"	for	Allen of F.
Williams,	"	for	Southwick.
Wood,	"	for	Pace—34.

Shelton L. Hall, having received a majority of all the votes given, was declared duly elected State's Attorney for the sixth judicial circuit.

The two Houses then proceeded to vote for State's Attorney for the seventh judicial circuit; which, being counted, stood as follows:

For Mr. Huntington—86.

For Mr. Albert G. Leary—22.

Scattering—11.

Those who voted for Mr. Huntington, are,

Messrs. Allen, Blackwell, Borough, Churchill, Davidson, Gatewood, Greer, Mitchell, Moore Murray, Nunnally, O'Rear, Parrish, Peck, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Archer, Baker, Bainbridge, Brown, Calhoun, Carpenter, Cloud, Compber, Copland, Craig, Crain, Cunningham, Dawson, Edmonston, Edwards, Elkin, Elliott, Emmerson, Ficklin, Fisk, Flood, Foster, Gilham, Green of Clay, Green of Greene, Happy, Hardin, Harris, Henderson, Henry, Holmes, Houston, Hull, Jones, Kent, Kercheval, Kerr, Lincoln, Logan, McCutchen, McMillan, McWilliams, Maus, Moore, Morgan, Murphy of Perry, Murphy of Vermilion, Naper, Otwell, Philips, Read, Robinson, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas of McLean, Thomas of St. Clair, Thornton, Williams, and Mr. Speaker, of the House of Representatives—86.

Those who voted for Mr. Leary, are,

Messrs. Browning, Fithian, Fletcher, Hacker, Hackelton, Hamlin, Johnston, Mills, Richardson, and Ross, of the Senate; and

Messrs. Churchill, Daley, Dubois, French, Gouge, Lyons, McCormick, Marshall, Murphy of Cook, Pace, Walker of Fulton, and Wood, of the House of Representatives—22.

Mr. Gibbs, of the Senate, voted for Mr. Black.

Little,	"	for	Richard Roe.
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Monroe,	"	for	John Doe.
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Dunn, of the House of Representatives, for Mr. Peck.

Jarrott,	"	for	Fisk.
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Johnson,	"	for	Menard.
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Menard,	"	for	Johnson.
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Rawalt,	"	for	Butterfield.
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Roman,	"	for	Hardin.
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Walker of Vermilion,	"	for	Zimmerman.
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Zimmerman,	"	for	Walker of V.—11.
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Mr. Huntington, having received a majority of all the votes given, was declared duly elected State's Attorney for the seventh judicial circuit.

The two Houses then proceeded to vote for a State's Attorney for the first judicial circuit; which, being counted, stood thus:

For William Woodson—63.

For James A. McDougall—29.

For John S. Greathouse—28.

Those who voted for Mr. Woodson, are,

Messrs. Allen, Blackwell, Browning, Davidson, Fithian, Gatewood,

Greer, Hamlin, Harrison, Little, Mills, Moore, Monroe, Murray, O'Rear, Ross, Servant, Thomas, Turney, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Allen of Greene, Archer, Baker, Compher, Craig, Cunningham, Daley, Dawson, Dubois, Dunn, Edwards, Elkin, Elliott, Ficklin, Gilham, Green of Greene, Hardin, Henderson, Henry, Holmes, Hull, Jarrott, Jones, Kent, Kerr, Lincoln, Logan, McCutchen, Marshall, Murphy of Vermilion, Naper, Otwell, Philips, Rawalt, Read, Roman, George Smith of Madison, Thomas of McLean, Thornton, Williams, and Zimmerman, of the House of Representatives—63.

Those who voted for James A. McDougall, are,

Messrs. Gibbs, Hacker, Johnston, Parrish, Peck, Richardson, Stadden, and Weatherford, of the Senate; and

Messrs. Allen of Franklin, Brown, Calhoun, Churchill, Cloud, Copland, Flood, French, Gouge, Happy, McMillan, McWilliams, Morgan, Murphy of Perry, Pace, Smith of Wabash, Stapp, Thomas of St. Clair, Walker of Fulton, Walker of Vermilion, and Mr. Speaker, of the House of Representatives—29.

Those who voted for John S. Greathouse, are,

Messrs. Borough, Churchill, Fletcher, Hackelton, Mitchell, Nunnally, and Warren, of the Senate; and

Messrs. Alexander, Bainbridge, Carpenter, Crain, Edmonston, Emmerson, Fisk, Foster, Green of Clay, Harris, Houston, Johnson, Kercheval, Lyons, McCormick, Maus, Moore, Murphy of Cook, Robinson, Robert Smith of Madison, and Wood, of the House of Representatives—28.

William Woodson, having received a majority of all the votes given, was declared duly elected State's Attorney for the first judicial circuit.

The two Houses then proceeded to vote for a State's Attorney for the eighth judicial circuit; which, being counted, stood thus:

For David Davis—58.

For David B. Campbell—61.

Scattering—1.

Those who voted for David Davis, are,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Gatewood, Greer, Hacker, Hamlin, Harrison, Little, Moore, Monroe, Murray, O'Rear, Parrish, Ross, Servant, Thomas, and Turney, of the Senate; and

Messrs. Aldrich, Baker, Craig, Cunningham, Dawson, Dubois, Edwards, Elkin, Elliott, Emmerson, Ficklin, Gilham, Green of Greene, Hardin, Henderson, Henry, Holmes, Hull, Jarrott, Johnson, Jones, Kent, Kerr, Lincoln, Lyons, McCutchen, McMillan, Marshall, Menard, Murphy of Vermilion, Otwell, Philips, Rawalt, George Smith of Madison, Stapp, Thomas of McLean, Thornton, and Williams, of the House of Representatives—58.

Those who voted for David B. Campbell, are,

Messrs. Fletcher, Gibbs, Hackelton, Johnston, Mills, Mitchell, Nunnally, Peck, Richardson, Stadden, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Alexander, Allen of Frank., Allen of Greene, Archer, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Cloud, Compher, Copland, Crain, Daley, Dunn, Edmonston, Fisk, Flood, Foster, French, Gouge, Green of Clay, Happy, Harris, Houston, Kercheval, Logan, McCormick, McWilliams, Maus, Moore, Morgan, Murphy of Cook, Murphy of Perry, Naper,

Pace, Read, Robinson, Roman, Smith of Wabash, Robert Smith of Madison, Thomas of St. Clair, Walker of Fulton, Walker of Vermilion, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—61.

David B. Campbell, having received a majority of all the votes given, was declared duly elected State's Attorney for the eighth judicial circuit.

The two Houses then proceeded to vote for a State's Attorney for the ninth judicial circuit; which, being taken, stood thus:

Norman Purple had eighty-two votes.

Scattering, thirty votes.

Those who voted for Norman Purple, are.

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fithian, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Mills, Mitchell, Moore, Murray, Nunnally, O'Rear, Parrish, Richardson, Stadden, Thomas, Turney, Warren, Weatherford, and Witt, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Greene, Archer, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Cloud, Compber, Copland, Crain, Cunningham, Dawson, Edwards, Ficklin, Fisk, Flood, Foster, French, Gilham, Gouge, Green of Clay, Green of Greene, Happy, Harris, Henderson, Henry, Holmes, Houston, Hull, Johnson, Jones, Kent, Kerr, Lincoln, Logan, McMillan, Marshall, Maus, Moore, Murphy of Cook, Murphy of Perry, Naper, Pace, Rawalt, Robinson, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Thomas of St. Clair, Walker of Fulton, and Mr. Speaker, of the House of Representatives—82.

Mr. Fletcher, of the Senate, voted for Mr. Richardson.

Johnston,	"	for	Servant.
Little,	"	for	Hacker.
Peck,	"	for	Ross.
Ross,	"	for	Peck.
Wood,	"	for	Green.

Messrs. Allen of F. and Zimmerman, of the H. R., for Mr. Stapp.

Dubois and Lyons,	"	for	Daley.
Morgan and Wood,	"	for	Thomas.
Dunn and Elliott,	"	for	Carpenter.

Mr. Craig,	"	for	Murphy of Cook
Daley,	"	for	Compber.
Edmonston,	"	for	Dubois.
Emmerson,	"	for	McMillan.
Hardin,	"	for	Orange.
Kercheval,	"	for	Bogardus.
McCormick,	"	for	Stark.
McCutchen,	"	for	Lord Coke.
McWilliams,	"	for	Lyons.
Murphy of Vermilion,	"	for	Zimmerman.
Read,	"	for	Murphy of Ver.
Roman,	"	for	Hardin.
Stapp,	"	for	Balance.
Thomas of McLean,	"	for	Archer.
Walker of Vermilion,	"	for	Warren.
Williams,	"	for	Happy.

Mr. Purple, having received a majority of all the votes given, was declared duly elected State's Attorney for the ninth judicial circuit.

The two Houses then proceeded to the election of a Judge for the eighth judicial circuit.

Mr. Browning of the Senate, and Robert Smith, of the House of Representatives, were appointed tellers; and the votes being counted, stood thus:

For Stephen T. Logan—66.

For David Prickett—54.

Blank—1.

Stephen T. Logan, having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected Judge of the eighth judicial circuit of the State of Illinois.

The two Houses then proceeded to the election of a Judge for the ninth judicial circuit; and the vote being taken, stood thus:

For Thomas Ford—92.

Scattering—20.

Thomas Ford, having received a majority of all the votes given, was declared, by the Speaker of the House of Representatives, duly elected Judge of the ninth judicial circuit of the State of Illinois.

Mr. Edwards moved to indefinitely postpone the election of Bank directors of the State Bank of Illinois, and of the Bank of Illinois; which was agreed to.

Whereupon, the Senate returned to their chamber; and,

On motion,

The Senate adjourned.

MONDAY, FEBRUARY 25, 1839.

Senate met pursuant to adjournment.

Mr. Little, from the committee on the Judiciary, to which was referred a bill for "An act to amend the several laws in relation to practice in courts of law," reported the same back with an amendment; which was read and concurred in.

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On the further motion of Mr. Little,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Browning, from the same committee, to which was referred "An act to incorporate the Shawneetown and New Haven Railroad Company," reported the same back without amendment.

Ordered to be engrossed and read a third time.

Mr. Browning, from the same committee, to which was referred the petition of Nathaniel Sanburn, asking the passage of a law authorizing W. Sanburn, a minor, to convey certain land, reported the same back, and asked to be discharged from the further consideration of the subject; which was agreed to.

Mr. Harrison, from the same committee, to which was referred "An act to incorporate the Jo Daviess Mining and Smelting Company;" reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed, as amended, and read a third time.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Peck, from the committee on Finance, to which were referred several petitions of the citizens of Cook county, praying that foreign banks may establish agencies at Chicago, reported a bill for "An act to provide for the introduction of foreign capital into this State," which was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Servant,

Referred to a select committee.

Ordered, That Messrs. Servant, Monroe, and Peck, be that committee.

On motion of Mr. Borough,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, entitled "An act making appropriations for the years 1839 and 1840," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Borough,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on Public Accounts and Expenditures.

Mr. Witt, from the select committee to which was referred a bill for "An act to define certain property to be exempt from execution," reported the same back without amendment, and recommended the passage of said bill.

Mr. Richardson moved the indefinite postponement of said bill; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Davidson, Fithian, Gatewood, Greer, Hacker, Hamlin, Harrison, Little, Mills, Mitchell, Moore, Monroe, Murray, O'Rear, Parrish, Richardson, and Servant—21.

Those who voted in the negative, are,

Messrs. Borough, Gibbs, Hackelton, Hunter, Johnston, Nunnally, Peck, Ross, Stadden, Thomas, Turney, Weatherford, Witt and Wood—14.

Mr. Harrison, from the select committee to which was referred the petition of sundry citizens of Rock Island county, in relation to an insurance company, reported a bill, entitled "An act to incorporate the Rock Island Mutual Fire Insurance Company;" which was read, and *Ordered* to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the passage of bills, entitled

"An act to define the manner of proceeding in petitioning the General Assembly for locating or altering State roads;" and

"An act supplemental to the several acts relative to the Wabash Navigation Company," as respectively amended by them.

In which amendments they ask the concurrence of the Senate.

And he withdrew.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to provide for a loan for canal purposes.

"An act to incorporate the La Salle Charity Hospital;"

"An act to locate a State road from Monmouth, in Warren county, to Illinois city, in Rock Island county;"

"An act to establish the Illinois Asylum for the education of the deaf and dumb;"

"An act to relocate part of the Vincennes and Chicago State road via Russelville, and to declare a certain road therein named a State road;"

"An act to extend the powers of the corporation of Shawneetown;" and

"An act to incorporate the Liberty Steam Mill Company."

And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of bills, entitled

"An act to authorize the sale of school land in Edwards county;"

"An act to establish a State road from Rushville, in Schuyler county, to Pittsfield, in Pike county;"

"An act to lay out a State road from Shelbyville, in Shelby county, to Decatur, in Macon county;"

"An act to amend 'An act to extend the corporate powers of the town of Peoria,' approved February 21, 1837;" and

"An act to relocate part of a certain State road therein named."

And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have passed bills of the following titles, viz:

"An act for the relief of John Winstanley and Hugh Duffy;"

"An act to establish the Marshall Female Seminary;"

"An act to amend an act, entitled 'An act to incorporate the city of Alton;'"

"An act to revive an act, entitled 'An act to incorporate the stockholders of the Randolph Manufacturing Company,' approved January 16, 1836;"

"An act to dispose of the territory lying west of the Illinois river, in the county of Putnam, and for other purposes;"

"An act to establish a State road from Joseph Huey's, in Clinton county, to the northeast corner of Fayette county;"

"An act for the relief of the clerks of the circuit courts of Sangamon, Clinton, Fayette, and Franklin counties;"

"An act to incorporate the Montebello Manufacturing Company;"

"An act to provide for the location of the county seat of Cass county;"

"An act supplemental to an act, entitled 'An act to extend the corporate powers of the town of Peoria,' approved February 21, 1837;"

"An act to establish a State road from Jameson's ferry, in Pope county, to Cape Girardeau;"

"An act to authorize George W. Brinckerhoof and others to establish a ferry across Rock river;"

"An act to repeal an act, entitled 'An act to incorporate the town of Upper Alton;'"

"An act for the relief of John McMennaway, late sheriff of Macon county;" and

"An act to provide for the relocation of a State road therein named."

In the passage of which several acts they ask the concurrence of the Senate.

And he withdrew.

Mr. Servant from the select committee to which was referred a bill, entitled "An act to provide for the introduction of foreign capital into this State," reported the same back with sundry amendments; which were read and concurred in;

And on the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Monroe, Peck, Richardson, Servant, and Weatherford—5.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Hunter, Johnston, Little, Mills, Mitchell, Moore, Murray, Nunnally, O'Rear, Parrish, Ross, Stadden, Thomas, Warren, Witt, and Wood—31.

Mr. Hacker moved the adoption of the following resolution, which lies one day on the table, viz:

Resolved by the General Assembly, That both Houses will meet in the

Hall of the House of Representatives on Tuesday, the 26th inst., at seven o'clock, P. M., for the purpose of electing their Fund Commissioners.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said resolution taken up, and read;

And on the question—"Shall said resolution be adopted?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Davidson, Gatewood, Gibbs, Hacker, Johnston, Little, Mills, Mitchell, Murray, Nunnally, Parrish, Peck, Richardson, Stadden, Warren, and Witt—20.

Those who voted in the negative, are,

Messrs. Browning, Butler, Fithian, Gaston, Greer, Hackelton, Hamlin, Hunter, Moore, O'Rear, Ross, Servant, Thomas, Weatherford, and Wood—15.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and a bill from the House of Representatives, entitled "An act to create and establish the county of Jersey," was taken up and read.

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was further dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Witt, Borough, and Churchill, be that committee.

Mr. Churchill, from the committee on the Penitentiary, to which was referred the petition of B. S. Dorsey, in relation to the penitentiary, reported the same back, and asked to be discharged from a further consideration of the subject; which was agreed to.

Mr. Churchill, from the same committee, to which was referred a bill, entitled "An act in relation to the penitentiary," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed, as amended, and read a third time.

The question recurring on the question pending at the time of adjournment on Saturday last, which was upon the amendment to the proposed amendment of the bill from the House of Representatives, entitled "An act concerning the public revenue,"

Mr. Richardson withdrew his proposed amendment to the amendment. Whereupon,

Mr. Little moved the previous question;

And on the question—"Shall the main question be now put?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Hacker, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Stadden, Thomas, and Wood—20.

Those who voted in the negative, are,

Messrs. Blackwell, Churchill, Davidson, Fithian, Gaston, Gatewood,

Gibbs, Greer, Hackelton, Hunter, Johnston, Moore, Murray, Servant, Warren, Weatherford, and Witt—17.

On the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Hacker, Hackelton, Hamlin, Harrison, Herndon, Little, Mills, Mitchell, Parrish, Peck, Richardson, and Stadden—17.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Fithian, Gaston, Gatewood, Gibbs, Greer, Hunter, Johnston, Moore, Monroe, Murray, Nunnally, O'Rear, Ross, Servant, Thomas, Warren, Weatherford, Witt, and Wood—21.

Ordered, That the Secretary inform the House of Representatives thereof.

The bills from the House of Representatives, entitled

"An act to provide for the probate of wills in certain cases;" and

"An act to amend the several acts concerning administrators and apprentices;"

Were severally read a third time as amended, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bills.

Mr. Monroe moved to reconsider the vote just taken on the passage of a bill from the House of Representatives, entitled "An act concerning the public revenue;" which was agreed to;

And the question recurring on the passage of said bill,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Hacker, Hackelton, Hamlin, Harrison, Herndon, Little, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, and Warren—19.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Fithian, Gaston, Gibbs, Greer, Hunter, Johnston, Moore, Murray, O'Rear, Ross, Servant, Thomas, Weatherford, Witt, and Wood—17.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bills, entitled

"An act to establish a State road from Mount Sterling, via La Grange Arenz's mills, and Princeton, to Springfield;"

"An act supplemental to the several acts relative to the Wabash Navigation Company;"

"An act to define the manner of proceeding in petitioning the General Assembly for locating and altering State roads;"

"An act for the relief of Calhoun county;" and

"An act to locate a State road therein named;" as amended by the House of Representatives, were severally taken up;

And the amendments of the House of Representatives to said bills were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend the acts in relation to constables," as amended by the Senate, was taken up;

And on the question—"Will the Senate recede from their amendments to said bill?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to grant a compensation to the Brigade Inspector of the first brigade and third division of Illinois militia," as amended by the Senate, was taken up;

And on the question—"Will the Senate recede from their amendments to said bill?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The resolution contained in the message from the House of Representatives, having for its object the survey of the Mississippi river, between the mouth of the Little Piasa river and Smeltzer's ferry, for the purpose of constructing a bridge &c., was taken up and read.

Mr. Thomas moved the indefinite postponement of the same; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Butler, Gaston, Gibbs, Hamlin, Harrison, Johnston, Murray, Parrish, Thomas, Weatherford, Witt, and Wood—15.

Those who voted in the negative, are,

Messrs. Browning, Churchill, Davidson, Greer, Hacker, Hackelfon, Hunter, Moore, Monroe, Peck, Richardson, Servant, and Stadden—13.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The preamble and resolution contained in the message from the House of Representatives some days since received, having for its object the procuring of a grant of land from Congress in aid of the internal improvement system of Illinois, were taken up, read, and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

The message from the House of Representatives, containing the resolution in relation to the calling of a convention for the purpose of amending the Constitution of the State of Illinois, was taken up and read.

On motion of Mr. Thomas,

Laid on the table.

Mr. Stadden moved to reconsider the vote taken on laying on the table, until the fourth day of July next, a bill from the House of Representatives, entitled "An act to provide for securing, to mechanics and others, liens for the value of labor and materials;" which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fletcher, Greer, Hackelton, Hunter, Moore, Murray, O'Rear, Richardson, Ross, Servant, Thomas, and Witt—18.

Those who voted in the negative, are,

Messrs. Butler, Fithian, Gaston, Gatewood, Hacker, Hamlin, Harrison, Johnston, Mills, Mitchell, Monroe, Nunnally, Parrish Stadden, Warren, and Wood—16.

On motion of Mr. Fletcher,

Referred to a select committee.

Ordered, That Messrs. Fletcher, Witt, and Thomas, be that committee.

The bill from the House of Representatives, entitled "An act to define the duties of officers connected with the internal improvement system," was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a second time by its title, and,

On motion of Mr. Hacker,

Referred to the committee on Internal Improvements.

The bill from the House of Representatives, entitled "An act providing for the election of a public binder, and defining his duties," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee of five.

Ordered, That Messrs. Weatherford, Greer, Mills, Hunter, and Monroe, be that committee.

The bill from the House of Representatives, entitled a bill for "An act to distribute the school fund to the several counties in this State," was read, and

Ordered to a second reading.

Mr. Witt moved to dispense with the rule of the Senate, and that the bill be read a third time by its title; which was not agreed to

A message from the House of Representatives, by Mr. Murphy, of Vermilion:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted the following resolution, viz:

Resolved by the General Assembly, That the Board of Commissioners of Public Works be, and they are hereby, authorized and empowered to locate and construct the Peoria and Warsaw railroad via Farmington, in Fulton county, should the said Board deem it expedient for the interest of the State, and for the convenience and accommodation of the community, so to do.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the adoption of the resolution appointing the 26th instant, at seven o'clock, P. M., for the election of three Fund Commissioners, as amended by them.

They amend, by striking out the words, "three Fund Commissioners," and insert, in lieu thereof, the following, viz: "two Fund Commissioners, one of whom shall be called and designated as Commissioner of Loans, and the other, Disbursing and Auditing Commissioner."

In which amendments I am advised to request the concurrence of the Senate. And he withdrew.

The bill from the House of Representatives, entitled "An act to incorporate the Embarrass River Navigation Company," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Monroe moved to refer to a select committee.

Mr. Witt moved to refer to the committee on the Judiciary; which was decided in the affirmative.

The bill from the House of Representatives, entitled "An act to authorize the county commissioners of St. Clair county to change State roads in said county," was read, and

Ordered to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Murray,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That the Governor be, and he is hereby, authorized and requested to procure full length painted portraits, (to be painted by an American artist) of the following named benefactors of mankind, suitably framed, and to cause the same to be placed in the Hall of the House of Representatives, when completed, viz: George Washington and Marquis De La Fayette.

In the adoption of which they ask the concurrence of the Senate. And he withdrew.

The bill from the House of Representatives, entitled "An act to authorize Nathaniel G. Wilcox and his associates to establish a ferry across the Mississippi river at the most convenient point opposite the town of Bloomington," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Harrison,

The bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled a bill for "An act permanently to locate the county seat of Mercer county," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

Read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to incorporate the Warsaw Railroad Company," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on Internal Improvements.

The bill from the House of Representatives, entitled "An act to authorize the Board of Public Works to survey and construct the continuation of certain railroads within the State of Indiana," was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

Mr. Monroe moved to further dispense with the rule, and that said bill be now read a third time; which was not agreed to.

Mr. Richardson moved to dispense with the rule of the Senate, for the purpose of taking up a bill; which was not agreed to.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and the message from the House of Representatives last received, containing the amendments of the House of Representatives to the resolution having for its object the election of three Fund Commissioners on the 26th instant, was taken up and read.

On the question—"Will the Senate concur with the House of Representatives in their amendments to said resolution?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to authorize

Joshua Vandruff to establish a ferry across Rock river, at Vandruff's island," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Harrison, Peck, and Browning, be that committee.

The bill from the House of Representatives, entitled "An act to authorize the judge of the fourth judicial circuit to hold special terms of the circuit court," was read, and

Ordered to a second reading.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Monroe moved the indefinite postponement of said bill; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Mount Carmel Manufacturing Company," was read;

And on the question—"Shall the bill be read a second time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to relocate part of the State road from Mount Vernon to Fairfield," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

On motion of Mr. Johnston,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend the recorded plat of the town of Athens," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

A message from the House of Representatives, by Mr. Flood:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have receded from their amendment to the resolution from the Senate appointing the 26th instant for the election of three Fund Commissioners. And he withdrew.

The bill from the House of Representatives, entitled "An act to

incorporate the Warsaw Marine and Fire Insurance Company," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

On motion of Mr. Harrison,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act for the benefit of John W. Spencer and David B. Sears, of Rock Island county," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Harrison,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act to incorporate the town of Hennepin," was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hamlin,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof,

On motion,

The Senate adjourned.

TUESDAY, FEBRUARY 26, 1839.

Senate met pursuant to adjournment.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill, entitled "An act fixing the time of holding circuit courts in the several counties of this State," reported the same back with an amendment; which was read and concurred in.

Mr. Hacker moved to amend said bill, by adding the following, as an additional section, viz:

"The judges of the first, eighth, and ninth circuits, appointed during the present session of the General Assembly, shall be permitted to fulfil

engagements made with clients previous to their election; but this provision shall, in nowise, discharge said judges from performing their duties in their circuits as required by law;" which was not agreed to.

Ordered, as amended, to be engrossed and read a third time.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Mr. Thomas moved to amend the title of said bill, so as to make it read, "An act fixing the time of holding the Supreme Court and the circuit courts in the 1st, 6th, 7th, 8th, and 9th circuits;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Browning, from the same committee; to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Embarrass Navigation Company," reported the same back with several amendments; which were read and concurred in.

On the question—"Shall the bill be read a third time, as amended?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Browning, from the same committee, to which was referred "An act to authorize the resurvey of the town of Peru, in La Salle county," reported the same back without amendment, and recommended the passage of said bill.

Ordered to be engrossed and read a third time.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill, entitled "An act to reduce the fees for recording deeds," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Mr. Thomas moved to amend said bill, so as to make it read, "An act concerning public roads in Schuyler county;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Witt, on leave given, introduced the petition of sundry citizens of Greene county, in relation to the division of said county.

On motion of Mr. Witt,

The reading of the same was dispensed with, and referred to a select committee.

Ordered, That Messrs. Witt, Turney, and Borough, be that committee.

Mr. Stadden moved to reconsider the vote, taken on yesterday, on refusing to order to a second reading a bill from the House of Representatives, entitled "An act to incorporate the Mount Carmel Manufacturing Company;" which was agreed to.

The question recurring on ordering said bill to a second reading, It was decided in the affirmative.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Servant moved to reconsider the vote, taken on yesterday, on the passage of a bill from the House of Representatives, entitled "An act to incorporate the town of Hennepin;" which was agreed to.

On motion of Mr. Servant,

Said bill was laid on the table.

Mr. Gibbs, from the select committee to which was referred a bill for "An act to incorporate the Golconda Seminary," reported the same back with an amendment; which was read and concurred in.

Ordered to be re-engrossed, as amended.

The bill from the House of Representatives, entitled "An act to revive an act, entitled 'An act to incorporate the stockholders of the Randolph Manufacturing Company,' approved January 16, 1836," was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

Mr. Hacker moved to reconsider the vote just taken, on ordering said bill to a third reading; which was agreed to.

Mr. Hacker moved to amend said bill, by adding the following, as an additional section, viz:

"That nothing contained in the act, entitled 'An act to incorporate the Cairo City and Canal Company, approved March 4, 1836,' shall be so construed as to prevent the said company from selling lots situate in the city of Cairo, under the provisions of the act of the Legislative Council and House of Representatives of the Illinois Territory, incorporating the City and Bank of Cairo, approved January 9, 1818; and it shall be lawful for them to do so in the manner, and for the uses and purposes in the last named act specified; and any one of the commissioners appointed in and by said Territorial act, is hereby authorized to consent to any sale or disposition which the proprietors of the city of Cairo have or may make of said city, or the land on which said city was located;" which was agreed to.

Ordered to a third reading, as amended.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform

the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

A message from the Governor, by A. P. Field, Esq., Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act to authorize a loan of money;"

"An act to authorize St. Clair county to establish a ferry across the Mississippi river;"

"An act to establish the Mississippi Ferry Company at Savannah, and for other purposes;"

"An act for the benefit of the counties therein named;"

"An act to amend an act, entitled 'An act concerning sheriffs and coroners,' approved February 12, 1837;"

"An act to incorporate the seminaries of learning, therein named;"

"An act to incorporate the town of Shelbyville;"

"An act to establish a State road therein named;"

"An act to authorize Narcise Penconneau to build a bridge over the Kaskaskia river, at Athens, in St. Clair county;" and

"An act vacating a part of the town of Illinois city, and changing the name of the residue to that of Uniontown."

In the passage of which several acts they ask the concurrence of the Senate. And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act, to amend 'An act to extend the corporate powers of the town of Peoria,' approved January 21, 1837;"

"An act to change part of the Phillips' ferry road in Morgan county;"

"An act to extend the corporate powers of the president and trustees of the town of Belleville;"

"An act relating to the towns therein named;"

"An act providing for the improvement of certain roads in Edgar county;"

"An act to locate a certain road therein named;"

"An act to establish a State road from Mount Sterling, via Arenz's mill and Princeton, to Springfield, and for attaching part of the county of Shelby to the county of Dane;"

"An act to amend the act incorporating the New Canton and Piketon Railroad Company;"

"An act to incorporate the Charleston Marine and Fire Insurance Company;"

"An act to authorize the county commissioners' court of St. Clair county to change State roads in said county;"

"An act to authorize Nathaniel G. Wilcox and his associates to establish a ferry across the Mississippi river, at the most convenient point opposite the town of Bloomington;"

"An act for the benefit of John W. Spencer and David B. Sears of Rock Island county;"

"An act to permanently locate the county seat of Mercer county;"

"An act to legalize the survey of certain State roads;"

"An act to amend the several laws in relation to the Illinois and Michigan canal;"

"An act to relocate part of a certain State road;" and

"An act concerning the public revenue."

Mr. Hackelton, from the same committee, reported that the above mentioned bills were on this day laid before the Council of Revision.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of bills, entitled

"An act further to provide for the release and extinction of mortgages;"

"An act for the relief of the trustees of Shawneetown;"

"An act in addition to the several acts authorizing and regulating the sale of school lands;"

"An act concerning a State road in the county of Fulton;"

"An act to provide for the dedication of lots, in towns situated on canal lands, to public puposes;"

"An act supplementary to an act prescribing the mode of trying the right of property;" and

"An act to amend the act, entitled 'An act declaring what shall be evidence in certain cases,' approved January 10, 1827."

They have refused to concur with the Senate in the passage of the bill, entitled "An act to provide for the specific execution of contracts in relation to the payment of interest."

And he withdrew.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Warsaw Marine and Fire Insurance Company," reported the same back with certain amendments; which were read and concurred in.

Ordered, as amended, to a third reading.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence in the amendments to said bill.

Mr. Hacker, from the committee on Internal Improvements, to which was referred the bill from the House of Representatives for "An act to incorporate the Warsaw Railroad Company," reported the same back to the Senate without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title thereof be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them, in the passage of bills of the following titles, as respectively amended by them, viz:

"An act to amend an act, entitled 'An act to amend the several acts in relation to common schools;'"

"An act to incorporate the Amity Academy, in Bond county, and the Lebanon Female Academy, in St. Clair county;"

"An act in relation to the county of Macon;" and

"An act to amend an act, entitled 'An act to locate a State road from the Indiana line, northeast, in a direction to Mineral Point.'"

In which amendments to said bills I am directed to request the concurrence of the Senate.

They have concurred in the amendment of the Senate to the bill from the House, entitled "An act to establish the county of Hardin."

And he withdrew.

Mr. Thomas, from the committee on Canals and Canal Lands, to which was referred the bill, entitled a bill for "An act to provide for settlements with representatives of deceased contractors upon public works," reported the bill back with amendments, which were read and concurred in.

Ordered to be engrossed and read a third time, as amended.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed, as amended.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments of the Senate thereto.

Mr. Thomas, from the committee on the Judiciary, to which was referred the bill for "An act in relation to the Governor of this State," reported the same with an amendment; which was read and concurred in; and said bill, as amended, was,

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill read a third time;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

On motion of Mr. Thomas,

The title of the bill was amended, so as to read, a bill for "An act supplementary to the act, entitled 'An act to provide for a loan for canal purposes.'"

Ordered, That the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Weatherford, from the select committee to which was referred the bill, entitled "An act providing for the election of a public binder, and defining his duties," reported the same back without amendment, and recommended its passage.

Mr. Hacker moved to lay the bill upon the table until the 4th of July next; which was agreed to.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Harrison, from the select committee to which had been referred the bill, entitled "An act authorizing Joshua Vandruff to establish a ferry across Rock river, at Vandruff's island," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

The bill from the House of Representatives, entitled "An act for the relief of J. H. C. Hanna," was read;

And on the question—"Shall the bill be read a second time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to authorize a relocation of a State road therein named," was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Servant,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act to create the county of Lee from the county of Ogle," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Harrison,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title of said bill be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Chicago Lyceum," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

Ordered to a third reading.

On motion of Mr. Peck,

The rule of the Senate was further dispensed with, said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act authorizing the improvement of the Big Muddy river," was read, and,

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and,

On motion of Mr. Parrish,

Referred to the committee on Internal Improvements.

The bill from the House of Representatives, entitled "An act to incorporate the town of Lacon, in Marshall county," was read, and

Ordered to a second reading.

On motion of Mr. Mitchell,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Wood moved that the bill be laid upon the table; which was not agreed to.

On motion of Mr. Peck,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to locate a State road from the dividing line between the counties of Vermilion and Iroquois, at the point where the Butterfield trace crosses said line," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Peck, Stadden, and Fithian, be that committee.

The bill from the House of Representatives, entitled "An act to incorporate the Fairfield Institute," was read, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Mills,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act to relocate a part of the State road from Mount Vernon to Nashville," was read, and

Ordered to a second reading.

On motion of Mr. Johnston,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Johnston,

The rule of the Senate was further dispensed with, and said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act to amend an act regulating the mode of trying the right of property," was read, and *Ordered* to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to incorporate the Fox River Manufacturing Company, and for other purposes," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to incorporate the Kankakee Manufacturing Company," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to construct bridges across the Kaskaskia and Embarrass rivers, at or near the points where the Springfield trace crosses said streams, and for other purposes," was read, and

Ordered to a second reading.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Monroe,

The rule of the Senate was again dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with:

Whereupon,

Mr. Little, from the committee on the Judiciary, to which was referred a bill, entitled "An act to provide for building fire proof offices in Morgan county," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives refuse to concur in the Senate's amendment to the bill from the House of Representatives, entitled "An act for the formation of Lake county."

And he withdrew.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and the bill from the House

of Representatives, just received, entitled "An act for the formation of Lake county," was taken up;

And on the question—"Will the Senate recede from their amendments to said bill?"

It was decided in the negative.

Whereupon,

Mr. Peck moved that a committee of conference be appointed upon the disagreeing vote of the two Houses; which was agreed to.

Ordered, That Messrs. Peck, Stadden, and Harrison, be the committee on the part of the Senate, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate agricultural societies," was read.

Mr. Hacker moved the indefinite postponement of said bill; which was not agreed to.

Ordered to a second reading.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with; said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hackelton,

The rule was again dispensed with, and said bill read a third time by its title;

And on the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Churchill, Fithian, Fletcher, Gibbs, Greer, Hackelton, Mills, Murray, O'Rear, Peck, Thomas, Weatherford, and Wood—14.

Those who voted in the negative, are,

Messrs. Borough, Browning, Butler, Gaston, Hacker, Hunter, Johnston, Mitchell, Moore, Monroe, Nunnally, Parrish, Ross, Stadden, Turney, Warren, and Witt—17.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to revive and amend an act, entitled 'An act to incorporate the town of Caledonia,'" was read; and,

On the question—"Shall the bill be read a second time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Ross moved to reconsider the vote just taken on the passage of a bill from the House of Representatives, entitled "An act to incorporate agricultural societies;" which was agreed to;

Whereupon,

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question recurring on the question pending at the time of adjournment, which was upon the passage of the bill from the House of Representatives, entitled "An act to incorporate agricultural societies,"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Hacker moved to reconsider the vote given this day on refusing to order to a second reading the bill from the House of Representatives, entitled "An act to revive and amend an act, entitled 'An act to incorporate the town of Caledonia;'" which was agreed to;

And the question recurring on ordering said bill to a second reading, It was decided in the affirmative.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hacker,

The rule was again dispensed with, said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act authorizing the administrators of Henry M. Shaw, deceased, to execute deeds in certain cases, and changing the name of the town of Florence, in White county," was read a third time.

Mr. Browning moved to amend said bill, by striking out the "first section" of the same; which was agreed to.

And on the question—"Shall the bill pass, as amended?"

It was decided in the affirmative.

Mr. Browning moved to amend the title to said bill, so as to make it read, "An act changing the name of the town of Florence, in White county;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments to said bill and title.

The bill from the House of Representatives, entitled "An act to amend the recorded plat of the town of Athens," was read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Little moved to dispense with the rule of the Senate, for the purpose of taking up a bill; which was not agreed to.

Mr. Servant moved to dispense with the rule of the Senate, for the purpose of taking up a bill; which was not agreed to.

The bill from the House of Representatives, entitled "An act to incorporate the Centre Bridge Company at Ottawa," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Stadden, Mitchell, and Little, be that committee.

The bill from the House of Representatives, entitled "An act to locate a State road from Griggsville, in Pike county, to the Mississippi river," was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Ross,

The rule of the Senate was again dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to relocate part of a State road from Quincy to Macomb," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to authorize the administrators of William T. Wilber, deceased, to convey certain real estate," was read.

Mr. Browning moved to lay the same on the table until the fourth day of July next; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to authorize Samuel Hillon and Sylvanus Mason to build a mill-dam across Big Muddy river," was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Parrish,

The rule was again dispensed with, said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend the law in relation to sheriffs and coroners," was read, and

Ordered to a second reading.

The bill from the House of Representatives, entitled "An act supplemental to 'An act to establish the counties of Menard, Logan, and Dane,'" was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Fletcher,

The rule was again dispensed with, said bill read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Mount Carmel Grimke Literary Association," was read, and

Ordered to a second reading.

The bill from the House of Representatives, entitled "An act of incorporation of the Fulton County Mutual Fire Insurance Company," was read, and

Ordered to a second reading.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hackelton,

The rule was again dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to establish the county of Williamson," was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Parrish, Wood, and Johnston, be that committee.

The bills from the House of Representatives, entitled

"An act to appoint an additional notary public in the county of Montgomery;" and

"An act authorizing the sale of certain real estate therein named;"

Were severally read the first time; and,

On motion of Mr. Thomas,

Said bills were indefinitely postponed.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to vacate the town plat of East Lockport," was read, and

Ordered to a second reading.

On motion of Mr. Peck;

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Peck,

The rule was again dispensed with, said bill read a third time by its title, and passed.

Ordered That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Hamilton Seminary," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading,

On motion of Mr. Witt,

The rule was again dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act for the benefit of the town of Greenville," was read, and

Ordered to a second reading.

On motion of Mr. Hunter,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hunter,

The rule of the Senate was again dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill, entitled "An act to authorize John A. McClanahan to build a mill-dam in Fayette county," as amended by the House of Representatives, was taken up.

The amendments of the House of Representatives to said bill were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to relocate the seat of justice of Livingston county," contained in the message of the House of Representatives, was taken up; and,

On motion of Mr. Allen,

Referred to a select committee.

Ordered, That Messrs. Allen, Mitchell, and Thomas, be that committee.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, the following bills, viz:

"An act to incorporate the Warsaw Railroad Company;"

"An act to authorize the Governor to appoint Bank directors;" and

"An act to grant a compensation to the Brigade Inspector of the first brigade and third division of the Illinois militia."

Mr. Hackelton, from the same committee, afterwards reported that

the above mentioned bills were, on this day, laid before the Council of Revision.

The engrossed bills, entitled

"An act to incorporate the Shawneetown and New Haven Railroad Company;"

"An act to authorize the county commissioners' court of Sangamon county to furnish the recorder's office of said county with desks, tables, &c.;"

"An act to establish a justice's district in township seven north, range seven east, in Peoria county;"

"An act to incorporate the Springfield Academy, in the county of Sangamon;" and

"An act in relation to the penitentiary;"

Were severally read a third time, and passed.

Ordered, That their titles be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills.

The bill from the House of Representatives, entitled "An act to distribute the school funds to the several counties in this State;" was read a second time.

Mr. Hacker moved to refer the same to the committee on Seminaries, School Lands and Education; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Fletcher, Gatewood, Hacker, Hamlin, Harrison, Johnston, Little, Mitchell, Moore, Parrish, Peck, Servant, Stadden, and Thomas—19.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Fithian, Gaston, Greer, Hackelton, Hunter, Mills, Nunnally, Richardson, Ross, Turney, Warren, Weatherford, Witt, and Wood—16.

The bill from the House of Representatives, entitled "An act to authorize the Board of Public Works to survey and construct the continuation of certain railroads within the State of Indiana," was read a third time ;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Hacker, Hackelton, Harrison, Little, Mills, Mitchell, Monroe, Nunnally, Parrish, Peck, Stadden, Thomas, Warren, and Wood—22.

Those who voted in the negative, are,

Messrs. Blackwell, Butler, Gaston, Hamlin, Hunter, Johnston, Moore, O'Rear, Richardson, Ross, Servant, Turney, Weatherford, and Witt—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act to incorporate the town of Decatur," was read, and

Ordered to a second reading.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to establish a State road in Franklin and Union counties;" was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Parrish,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act declaring the Des Plaines river a navigable stream," was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

Read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Blackwell, Peck, and Warren, be that committee.

The bill from the House of Representatives, entitled "An act to locate a State road from McKinzie's place, in Hamilton county, to Shawneetown, in Gallatin county," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

On motion of Mr. Johnston,

Referred to a select committee.

Ordered, That Messrs. Johnston, Gatewood, and Wood, be that committee.

The bill from the House of Representatives, entitled "An act for the relief of E. Tankersley," was read; and,

On motion of Mr. Richardson,

Said bill was indefinitely postponed.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to authorize the commissioners of Crawford county to appoint persons to locate a certain road therein named," was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Nunnally,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act to incorporate the Marshall Academy," was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Hacker moved to amend said bill, by adding the following, as an additional section, viz:

"Sec. There shall be attached to the Jonesborough College, incorporated February 9, 1835, a department in which shall be taught branches that are usually taught in common schools, which shall constitute the common school of the district in which said academy may be situated; and the trustees of said academy shall receive, from the school commissioners of the county, the same amount of money in the same proportion, and apply the same to such tuition, in the same manner as other common schools are paid and kept: *Provided*, Teachers or instructors of said department shall be selected by the trustees and under the control of the by-laws of said corporation;" which was decided in the affirmative, and the bill

Ordered to a third reading, as amended.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, said bill, as amended, read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendment to the same.

The bill from the House of Representatives, entitled "An act to authorize St. Clair county to establish a ferry across the Mississippi river," was read, and

Ordered to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Servant moved that the bill be now referred to the committee on the Judiciary; which was not agreed to.

On motion of Mr. Murray,

The rule of the Senate was further dispensed with, and said bill read a third time by its title.

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Stadden, Warren, Weatherford, Witt, and Wood—33.

Those who voted in the negative, are,

Messrs. Richardson, Servant, and Thomas—3.

The bill from the House of Representatives, entitled "An act to amend

'An act to incorporate the Quincy, Griggsville, Jacksonville, and Springfield Turnpike Company,' was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act to incorporate the Commerce Hotel Company," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Little,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The resolution contained in the message from the House of Representatives, having for its object the location of the Peoria and Warsaw railroad via Farmington, &c., was taken up, read, and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk;

Mr. Speaker: The House of Representatives are now ready to receive the Senate in the Hall of the House for the purpose of proceeding to the election of three Fund Commissioners. And he withdrew.

Whereupon, the honorable the Senate, preceded by the Speaker, repaired to the Hall of the House of Representatives, and then the two Houses proceeded, *viva voce*, to the election of three Fund Commissioners; when, the vote being taken, stood thus:

For John Tillson, jr.—99.

For Moses M. Rawlings—102.

For Charles Oakley—98.

For Dennis Rockwell—56.

For Edward A. Dorsey—9.

Scattering—6.

Those who voted for Mr. Tillson, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Hunter, Johnston, Little, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Ross, Servant, Stadden, Thomas, Warren, Weatherford, and Wood, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Franklin, Archer, Baker, Bainbridge, Brown, Calhoun, Cloud, Copland, Craig, Dawson, Dubois, Dunn, Edmonston, Edwards, Elkin, Elliott, Fisk, Flood, Gilham, Green of Clay, Hankins, Hardin, Harris, Henderson, Henry, Holmes, Houston, Huey, Hull, Jarrott, Johnson, Jones, Kent, Kercheval, Kerr, Lincoln, Logan, McCormick, McCutchen, McWilliams, Menard, Morgan, Murphy of Perry, Murphy of Vermilion, Naper, Otwell, Philips, Rawalt, Roberts, Robinson, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas of McLean, Thomas of St. Clair, Thornton, Walker of Vermilion, Williams, Zimmerman, and Mr. Speaker, of the House of Representatives—99.

Those who voted for Mr. Rawlings, are,

Messrs. Allen, Blackwell, Browning, Davidson, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Harrison, Herndon, Hunter, Johnston, Mitchell, Moore, Monroe, Murray, Nunnally, Parrish, Peck, Richardson, Servant, Turney, Warren, Weatherford, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Allen of Franklin, Allen of Greene, Archer, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Cloud, Copland, Craig, Crain, Cunningham, Daley, Dawson, Dubois, Dunn, Edmonston, Edwards, Elkin, Emmerson, Fisk, Flood, Foster, Gilham, Green of Clay, Green of Greene, Hankins, Happy, Hardin, Harris, Henderson, Huey, Hull, Johnson, Jones, Kent, Kercheval, Logan, Lyons, McCormick, McCutchen, McMillan, McWilliams, Marshall, Maus, Menard, Moore, Morgan, Murphy of Cook, Murphy of Perry, Murphy of Vermilion, Naper, Otwell, Pace, Philips, Rawalt, Read, Roberts, Robinson, Roman, Smith of Wabash, Robert Smith of Madison, Stapp, Thomas of McLean, Thomas of St. Clair, Thornton, Walker of Fulton, Walker of Vermilion, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—102.

Those who voted for Mr. Oakley, are,

Messrs. Allen, Blackwell, Borough, Butler, Churchill, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Harrison, Herndon, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, O'Rear, Parrish, Peck, Richardson, Ross, Stadden, Thomas, Turney, Warren, Witt, and Wood, of the Senate; and

Messrs. Aldrich, Alexander, Allen of Franklin, Allen of Greene, Baker, Bainbridge, Brown, Calhoun, Carpenter, Churchill, Copland, Craig, Crain, Cunningham, Daley, Edmonston, Elliott, Emmerson, Fisk, Flood, Foster, Gilham, Green of Clay, Green of Greene, Hankins, Happy, Harris, Henderson, Henry, Holmes, Houston, Huey, Hull, Kent, Kercheval, Kerr, Lincoln, Logan, Lyons, McCormick, McMillan, McWilliams, Maus, Moore, Morgan, Murphy of Cook, Murphy of Perry, Naper,

Pace, Rawalt, Read, Roberts, Robinson, Roman, Smith of Wabash, George Smith of Madison, Robert Smith of Madison, Stapp, Thomas of McLean, Thomas of St. Clair, Thornton, Walker of Fulton, Walker of Vermilion, Williams, Wood, Zimmerman, and Mr. Speaker, of the House of Representatives—98.

Those who voted for Mr. Rockwell, are,

Messrs. Browning, Butler, Churchill, Davidson, Fithian, Greer, Hamlin, Hunter, Little, Mills, Moore, Murray, O'Rear, Richardson, Ross, Servant, Stadden, Thomas, and Weatherford, of the Senate; and

Messrs. Alexander, Archer, Baker, Cloud, Cunningham, Dawson, Dubois, Dunn, Edwards, Elkin, Elliott, Emmerson, Foster, Gilham, Happy, Hardin, Henry, Holmes, Houston, Jarrott, Johnson, Jones, Kerr, Lincoln, McCutchen, McMillan, Marshall, Menard, Murphy of Vermilion, Otwell, Pace, Philips, Read, Roman, George Smith of Madison, Walker of Fulton, and Williams, of the House of Representatives—56.

Those who voted for Mr. Dorsey, are,

Messrs. Turney and Witt, of the Senate; and

Messrs. Allen of Greene, Carpenter, Daley, Green of Greene, Moore, Murphy of Cook, and Wood, of the House of Representatives—9.

Messrs. Tillson, Rawlings, and Oakley, having received, each, a majority of the whole number of votes given, were declared, by the Speaker of the House of Representatives, duly elected Fund Commissioners for the State of Illinois.

Whereupon, the Senate, preceded by their Speaker, returned to their chamber.

On motion,

The Senate adjourned.

WEDNESDAY, FEBRUARY 27, 1839.

Senate met pursuant to adjournment.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Mount Carmel Manufacturing Company," reported the same back with several amendments thereto; which were read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

Mr. Ross, from the committee on Public Accounts and Expenditures, to which was referred the bill from the House of Representatives, entitled "An act making appropriations for the years 1839 and 1840," reported the same back with sundry amendments; which were read; and,

On motion of Mr. Servant,

Said bill and proposed amendments were referred to the committee of the Whole Senate, and made the order of the day for to-day, at 2 o'clock.

Mr. Browning, from the committee on the Judiciary, to which was referred a bill from the House of Representatives, entitled "An act to amend an act regulating the mode of trying the right of property," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill from the House of Representatives, entitled "An act authorizing the improvement of the Big Muddy river," reported the same back without amendment, and recommended the passage of said bill.

Mr. Moore moved to amend said bill, by adding the following, viz:

"There shall also be appropriated the sum of one thousand dollars to the county of Monroe, to be paid to the county commissioners of said county, and appropriated on the road from Kaho creek to Kaskaskia;" which was decided in the affirmative.

Ordered, as amended, to a third reading.

On motion of Mr. Moore,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Witt, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to create and establish the county of Jersey," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Stadden, from the select committee to which was referred a bill, entitled "An act to relocate the seat of justice of Livingston county," reported the same back, and recommended the Senate to recede from their amendment to said bill; which was agreed to.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill of the following title, to wit: "An

act making an appropriation for the improvement of the navigation of the Embarrass river." And he withdrew.

Mr. Fletcher, from the select committee to which was referred the bill from the House of Representatives for "An act to provide for securing, to mechanics and others, liens for the value of labor and materials," reported said bill without amendment;

And the question recurring upon the passage of said bill,
It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to legalize the survey of certain State roads;"

"An act to relocate part of a certain State road therein named;"

"An act to establish a State road from Mount Sterling, via La Grange, Arenz's mills, and Princeton, to Springfield, and for attaching part of the county of Shelby to the county of Dane;"

"An act to amend 'An act to extend the corporate powers of the town of Peoria,' approved January 21, 1837;"

"An act to extend the corporate powers of the president and trustees of the town of Belleville;"

"An act providing for the improvement of certain roads in Edgar county;"

"An act to locate a certain road therein named;"

"An act relating to towns therein named;"

"An act to change part of the Philips' ferry road, in Morgan county;"

"An act to amend the act incorporating the New Canton and Piketon Railroad Company;"

"An act to amend the several laws in relation to the Illinois and Michigan canal;" and

"An act to amend an act, entitled 'An act to protect the canal lands against trespasses,' approved March 4, 1837."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled:

"An act to locate a State road therein named;"

"An act to authorize the sale of school land in Edwards county;"

"An act to lay out a State road from Shelbyville, in Shelby county, to Decatur, in Macon county;"

"An act to locate a certain State road therein mentioned;"

"An act to amend the act, entitled 'An act declaring what shall be evidence in certain cases,' approved January 10, 1827;"

"An act supplementary to an act prescribing the mode of trying the right of property;"

"An act to incorporate the town of Kankakee;"

"An act for the relief of Calhoun county;"

"An act supplemental to the several acts relative to the Wabash Navigation Company;"

"An act concerning a State road in the county of Fulton;"

"An act in addition to the several acts authorizing and regulating the sale of school lands;" and

"An act to establish the county of Hardin."

Mr. Hackelton, afterwards, from the same committee, reported that the above mentioned bills were, on this day laid before the Council of Revision.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

"An act to locate a State road from Bloomington to Livingston, in McLean county;"

"An act for the relief James Brooks and others;"

"An act to relocate and build the penitentiary;"

"An act for the relief of Enoch Enloe;"

"An act to incorporate the trustees of the Rushville Female Seminary;"

"An act to incorporate the Illinois Legion;"

"An act to incorporate the Warren County Male and Female Seminary;"

"An act authorizing the sale of certain school lands in Vermilion county;"

"An act to amend an act, entitled 'An act to encourage the killing of wolves,' approved February 15, 1837;"

"An act altering, in part, Archer's addition to Lockport;"

"An act declaring a certain road, in McLean county, a State road;"

"An act for the distribution of certain school funds;"

"An act to authorize the administrators of William C. Ball, deceased, to convey real estate;"

"An act to establish a State road in Alexander county;"

"An act to locate and establish a State road in the counties of Kane and De Kalb;"

"An act to amend an act, entitled 'An act relating to the office of recorder;"

"An act supplementary to 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved January 23, 1829;"

"An act to incorporate the Chicago and Danville Railroad Company;"

"An act to regulate the mode of proceeding on the redemption of real estate sold under execution;"

"An act to amend 'An act concerning judgments and executions,' approved January 17, 1825;"

"An act authorizing the county commissioners' court of Madison county to levy and collect a special tax;"

"An act authorizing the appointment of commissioners of deeds;"

"An act to incorporate the Bainbridge Academy, in Franklin county;"

"An act to incorporate the Franklin Institute;"

"An act to locate a State road in McLean and Tazewell counties;"

"An act to relocate the seat of justice of the county of De Kalb;"

"An act to incorporate the Vandalia and Mississippi Turnpike Company;"

"An act authorizing the sale of property in Hudsonville, and appropriating the avails thereof;"

"An act for the relief of Andrew Cochran and others;"

"An act to amend an act in relation to religious societies;"

"An act to amend an act, entitled 'An act to create the county of Bureau;"

"An act to vacate certain alleys in the town of Winnebago;"

"An act to locate a State road from Nashville to Belleville;"

"An act to incorporate the Vandalia and Alton Turnpike Company;"

"An act to change the name of the town of Charlestown, in Peoria county;"

"An act to incorporate the Winslow Bridge Company;"

"An act to incorporate the Aux Plaines Steam Mill Company;"

"An act to locate a State road from Ellisville to Appanoose;"

"An act to amend an act concerning special bail;"

"An act for the benefit of Jefferson county;"

"An act to locate and establish, and alter, change, and relocate State roads;" and

"An act to incorporate the northern division of the American bottom;"

In the passage of which several bills they ask the concurrence of the Senate.

And he withdrew.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, and a bill from the House of Representatives, entitled "An act making an appropriation for the improvement of the navigation of the Embarrass river," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Thomas moved to amend said bill, by adding the following, as an additional section, viz:

"There shall also be appropriated, out of the funds aforesaid, the sum of five thousand dollars, for the improvement of the Sangamon river, to be expended by the Board of Public Works."

Mr. Ross moved to amend said amendment, by adding the following, viz:

"That there shall be appropriated the sum of five thousand dollars, to be expended in the improvement of the navigation of the north fork of McKee's creek, as far up as Chambersburgh;" which was not agreed to.

The question then recurring on the adoption of the amendment offered by Mr. Thomas,

It was decided in the negative.

Mr. Blackwell moved to amend the bill, by adding the following, as an additional section, viz:

"The sum of fifty thousand dollars is hereby appropriated to the improvement of the Kaskaskia river, in addition to the sum already appropriated."

Mr. Fithian moved to amend the proposed amendment, by adding the following, to wit:

"And ten thousand dollars to the improvement of the descending navigation and mill privileges of the Big Vermilion river, in Vermilion county, to be expended under the direction of the commissioners of said county;" which was not agreed to.

And the question recurring on adoption of the amendment proposed by Mr. Blackwell,

It was decided in the negative.

And on the question—"Shall the bill be read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Churchill, Davidson, Fletcher, Gaston, Gatewood, Greer, Hacker, Hackelton, Harrison, Mills, Monroe, Parrish, Peck, Stadden, Turney, Warren, and Witt—19.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Fithian, Gibbs, Hamlin, Hunter, Moore, O'Rear, Ross, Servant, Thomas, Weatherford, and Wood—14.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Peck, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Illinois Insurance Company," together with the amendments of the committee on the Judiciary to said bill, reported the same back, and recommended the adoption of the amendments of the committee on the Judiciary to said bill; which was agreed to.

Ordered to a third reading, as amended.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence in the amendments to said bill.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, entitled "An act to incorporate the town of Hennepin," some days since laid on the table, was taken up.

Mr. Hamlin moved to amend said bill, as follows, viz:

"Strike out of the 8th section between the word 'corporation' in the interlineation between the 33d and 34th line, and the word 'shall,' in the 38th line;" which was agreed to.

And on the question—"Shall the bill pass, as amended?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence in the amendments to said bill.

Mr. Richardson moved to take up a bill, some days since laid on the table, entitled "An act concerning the town of Naples;" which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hackelton, Hamlin, Hunter, Moore, Monroe, Murray, O'Rear, Richardson, Ross, Thomas, Turney, and Warren—22.

Those who voted in the negative, are,

Messrs. Blackwell, Gaston, Hacker, Harrison, Johnston, Mills, Mitchell, Parrish, Peck, Stadden, Weatherford, Witt, and Wood—13.

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gibbs, Greer, Hamlin, Hunter, Johnston, Little, Mills, Moore, Murray, O'Rear, Richardson, Servant, Thomas, Turney, and Witt—23.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Hacker, Mitchell, Parrish, Peck, Stadden, Warren Weatherford, and Wood—10.

Mr. Speaker laid before the Senate the following communication from the Board of Fund Commissioners of the State of Illinois, viz:

[It will be found in the volume of reports accompanying the journal.]

Mr. Browning, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Fox River Manufacturing Company, and for other purposes," reported the same back to the Senate with amendments; which were read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed, as amended.

Mr. Browning moved to amend the title, so as to make it read as follows: "An act to fix the time of holding courts in the several counties composing the fifth judicial circuit;" which was agreed to.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence in the amendments of the Senate thereto.

Mr. Hacker, from the committee on Internal Improvements, to which was referred the bill from the House of Representatives, entitled "An act to improve the navigation of Spoon river," reported the same back without amendment.

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a third time by its title;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Borough, Davidson, Fletcher, Greer, Hacker, Hackelton, Harrison, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Stadden, Warren, Weatherford, and Witt—17.

Those who voted in the negative, are,
Messrs. Blackwell, Browning, Butler, Churchill, Gibbs, Hunter, Johnston, Moore, O'Rear, Servant, and Thomas—11.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Blackwell, from the select committee to which was referred the bill from the House of Representatives, entitled "An act declaring the Des Plaines river a navigable stream," reported the same back without amendment.

Ordered to a third reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Parrish, from the select committee to which was referred the bill from the House of Representatives, entitled "An act to establish the county of Williamson," reported the same back without amendment.

Ordered to a third reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in the passage of bills, entitled

"An act for the formation of De Witt county;"

"An act to incorporate the town of Bloomington;"

"An act to authorize the Governor to commission the sheriff of Schuyler county;" and

"An act supplemental to the act, entitled 'An act to provide for a loan for canal purposes,'" as respectively amended by them.

In which amendments to said several bills I am directed to ask the concurrence of the Senate.

The Council of Revision have returned to the House, with their objections, the bill for "An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions, and for avoiding vexatious law suits.'" The House have amended said bill, and repassed the same.

They have amended the title of said bill, so as to read, "An act to quiet possession, and confirm titles to land."

In the repassage of which, with the amended title, I am directed to ask the concurrence of the Senate.

The House of Representatives have, at the request of the Senate, appointed a committee of conference on the disagreeing vote of the two Houses on the amendment of the Senate to the bill from the House, entitled "An act for the formation of Lake county;" and have appointed Messrs. Murphy of Cook, Naper, Craig, Pace, and Cloud, the committee on their part. And he withdrew.

Mr. Peck, from the select committee to which was referred the bill for "An act to locate a State road from the dividing line between the counties of Vermilion and Iroquois, at the point where the Butterfield trace crosses said line," reported the bill back with the following amendment, viz: "by striking out the five last words in the first section of the bill," and inserting the following, in lieu thereof, "until it intersects a State road running from the mouth of the Iroquois river, to Juliett, in Will county;" which was read and concurred in.

Whereupon, the bill as amended, was

Ordered to a third reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Peck, from the select committee to which had been referred the bill for "An act to amend an act, entitled 'An act establishing and regulating the inspection of tobacco in this State,' approved January 12, 1829," reported the same back to the Senate with an amendment; which was read and concurred in.

Ordered to be engrossed for a third reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title of said bill be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Ross moved to take up the bill, entitled "An act to limit the term of office of the Secretary of State," which had been heretofore laid on the table; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Fithian, Hacker, Hackelton, Moore, Murray, Ross, Thomas, Warren, and Witt—14.

Those who voted in the negative, are,

Messrs. Borough, Davidson, Fletcher, Gaston, Gibbs, Greer, Hamlin, Harrison, Hunter, Johnston, Mills, Mitchell, Monroe, O'Rear, Parrish, Peck, Richardson, Servant, Stadden, Turney, Weatherford, and Wood—22.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles, viz:

"An act to regulate tavern and grocery license;"

"An act to incorporate the Kaskaskia Insurance Company; and

"An act to apply a part of an appropriation, heretofore made to Clark county, to the improvement of the road from York to the county line of Clark;" as respectively amended by them.

In which amendments to said bills they ask the concurrence of the Senate.

They have passed a bill of the following title, viz: "An act authorizing the county commissioners' court to construct certain roads in Greene county."

In the passage of which they ask the concurrence of the Senate. They have concurred with the Senate in the passage of the bill, entitled "An act to provide for changing the venue in civil and criminal cases, approved January 23, 1827."

And he withdrew.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, entitled "An act authorizing the county commissioners' court to construct certain roads in Greene county," was taken up from the message of the House of Representatives, read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on Internal Improvements.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, entitled "An act for the relief of John Winstanly and Hugh Duffy," was taken up, and read.

Ordered to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on Internal Improvements.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and the bill for "An act supplementary to the act, entitled 'An act to provide for a loan for canal purposes,'" which passed the Senate, and was returned from the House with an amendment, was taken up;

The question upon concurring with the House in their amendment, being put, was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Borough, Churchill, Davidson, Hamlin, Little, Richardson, Stadden, Thomas, and Turney—9.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Fithian, Gaston, Gibbs, Hacker, Hunter, Johnston, Mitchell, Moore, Murray, Parrish, Peck, Servant, Warren, Weatherford, Witt, and Wood—19.

Whereupon,

On motion of Mr. Peck,

The vote aforesaid was reconsidered; and,

On motion of Mr. Thomas,

The amendment of the House was amended, as follows:

"*Provided*, That no higher or greater rate of interest shall be paid than six per cent. per annum upon the money borrowed"

The question then recurring upon concurring with the House in said amendment as amended,

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the said amendment to the amendment.

On motion,
The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Agreeably to order, the Senate resolved itself into a committee of the Whole, Mr. Thomas in the chair, for the purpose of taking into consideration the bill from the House of Representatives, entitled "An act making appropriations for the years 1839 and 1840," together with the amendments of the committee on Public Accounts and Expenditures to said bill; and after some time spent therein, Mr. Speaker resumed the chair, and

Mr. Thomas reported that the committee of the Whole had, according to order, had said bill and amendments under consideration, and had made sundry amendments to said bill and amendments, and had directed him to report the same back to the Senate, and ask their concurrence in the amendments to said bill and amendments.

On the question—"Will the Senate concur with the committee of the Whole in their amendments to the amendments of the committee on Public Accounts and Expenditures?"

Mr. Servant called for a division of the question;

The question being first taken on all the amendments, except so much as relates to the pay of the joint select committee of investigation,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Davidson, Fletcher, Gatewood, Gibbs, Hacker, Harrison, Hunter, Mitchell, O'Rear, Peck, Richardson, Servant, Stadden, Thomas, Turney, Warren, Weatherford, Witt, and Wood—22.

Those who voted in the negative, are,

Messrs. Borough, Butler, Churchill, Fithian, Gaston, Greer, Hamlin, Johnston, Little, Moore, Monroe, Murray, Parrish and Ross—14.

The question then recurring on allowing the investigating committee additional compensation,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Fletcher, Gatewood, Gibbs, Hacker, Hamlin, Harrison, Johnston, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Stadden, Thomas, Turney, Warren, Weatherford, and Witt—24.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Fithian, Gaston, Greer, Hunter, Little, Moore, Murray, O'Rear, Ross, Servant, and Wood—13.

Mr. Ross moved to amend the bill, by striking out the word "seven," in fourth section, third line, and insert "six," in lieu thereof.

Mr. Richardson called for a division of the question; which was agreed to.

Whereupon,

The question was put—"Shall the word seven be stricken out?"

And decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Borough, Browning, Butler, Churchill, Fithian, Gaston, Greer, Hamlin, Hunter, Johnston, Little, Mills, Moore, Monroe, O'Rear, Parrish, Ross, Thomas, Weatherford, and Wood—21.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Davidson, Fletcher, Gatewood, Gibbs, Hacker, Harrison, Mitchell, Peck, Richardson, Servant, Stadden, Turney, Warren, and Witt—16.

Mr. Richardson moved to insert "eight;" which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Davidson, Gatewood, Hacker, Johnston, Peck, Richardson, Stadden, and Warren—8.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Fithian, Fletcher, Gaston, Gibbs, Greer, Hackelton, Hamlin, Harrison, Herndon, Hunter, Little, Mills, Mitchell, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Ross, Servant, Thomas, Turney, Weatherford, Witt, and Wood—29.

Mr. Gibbs moved to reconsider the vote; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Blackwell, Davidson, Fletcher, Gatewood, Gibbs, Hacker, Harrison, Johnston, Mitchell, Peck, Richardson, Servant, Stadden, Turney, Warren, Weatherford, and Witt—17.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fithian, Gaston, Hamlin, Herndon, Hunter, Little, Mills, Moore, Monroe, Murray, Nunnally, O'Rear, Parrish, Ross, and Wood—20.

Mr. Ross moved to fill the blank with "six;" which was agreed to.

Mr. Stadden moved to strike out "four dollars," to members, and insert "five dollars;" which was not agreed to.

Whereupon, the bill was

Ordered to a third reading, as amended.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a third time by its title.

Mr. Ross moved to strike out so much as allowed the Speaker pro tem. seven dollars per day; which was agreed to.

On the question being put—"Shall the bill pass, as amended?"

It was decided in the affirmative.

Ordered, That the title of said bill be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence in the amendments of the Senate thereto.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles, viz:

"An act to define the manner of proceeding in petitioning the General Assembly for locating and altering State roads;"

"An act further to provide for the release and extinction of mortgages;"

"An act to establish a State road from Rushville, in Schuyler county, to Pittsfield, in Pike county;"

"An act for the relief of the trustees of Shawneetown;"

"An act to relocate a part of the State road from Mount Vernon to Nashville;"

"An act to authorize a relocation of a State road therein named;"

"An act respecting section 16, in township 2 south, in range 14 west, in Edwards county;"

"An act to incorporate the Chicago Lyceum;"

"An act to construct bridges across the Kaskaskia and Embarrass rivers, at or near the points where the Springfield trace crosses said streams, and for other purposes;"

"An act to incorporate the Fairfield Institute;" and

"An act to create the county of Lee from the county of Ogle."

Also joint resolutions in relation to the grant of lands by Congress in aid of the internal improvement system of Illinois.

Mr. Hackelton, from the same committee, afterwards reported that the above mentioned bills were laid before the Council of Revision.

A message from the House of Representatives, by Mr. McCutchen:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill from the Senate for "An act further to amend an act, entitled 'An act to establish and maintain a general system of internal improvements,'" as amended by them.

In which amendments they request the concurrence of the Senate. And he withdrew.

Mr. Peck, from the committee of conference, appointed by the Senate and House of Representatives, respecting the county of Lake, recommended the rejection of the amendment made by the Senate to the bill for the formation of said county, and the adoption of the following amendment, as the first section of the bill, in lieu thereof:

"That all that portion of McHenry county east of a range or sectional line, not less than three miles nor more than four miles east of the present county seat of McHenry county, shall constitute a new county, to be called the county of Lake."

On motion of Mr. Hacker,

The bill contained in the message from the House of Representatives, entitled "An act further to amend the act, entitled 'An act to establish and maintain a general system of internal improvements,'" was taken up; and the amendments of the House of Representatives to said bill were read.

Mr. Ross moved to amend, by adding, as an additional section, the following, viz:

"During the years one thousand eight hundred and thirty-nine and forty, the extent of the liabilities on the part of the Board of Public Works, for purposes of internal improvement, shall not amount to more than three millions of dollars, including the amount already under contract."

Mr. Richardson moved the previous question;

And on the question—"Shall the main question be now put?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Hackelton, Harrison, Little, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Stadden, Warren, and Wood—20.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Churchill, Fithian, Gaston, Hamlin, Hunter, Johnston, Moore, Murray, O'Rear, Ross, Servant, Thomas, Weatherford, and Witt—17.

The question now recurring upon concurring in the amendments of the House of Representatives to the bill,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Churchill, Davidson, Fletcher, Gatewood, Gibbs, Greer, Hacker, Hackelton, Harrison, Little, Mills, Mitchell, Monroe, Parrish, Peck, Richardson, Stadden, Warren, and Witt—21.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Fithian, Gaston, Hamlin, Hunter, Johnston, Moore, Murray, O'Rear, Ross, Servant, Thomas, Turney, Weatherford, and Wood—17.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Servant,

The bill contained in the message from the House of Representatives, entitled "An act to incorporate the Kaskaskia Insurance Company," was taken up; and the amendments of the House of Representatives to said bill read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Gatewood,

The bill contained in the message from the House of Representatives, entitled "An act to change the times of holding courts in the third judicial circuit," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, said bill read a second time, and referred to a select committee.

Ordered, That Messrs. Gatewood, Hacker, and Mills, be that committee.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act to amend the act, entitled 'An act to provide for changing the venue in civil and criminal cases,' approved January 23, 1827;"

"An act to authorize John A. McClanahan, William James, George F. Stolle, and Frederick Reeman, to build a mill-dam in Fayette county;"

"An act to provide for the dedication of lots, in towns situated on canal lands, to public purposes;"

"An act to amend 'An act to incorporate the Quincy, Griggsville, Jacksonville, and Springfield Turnpike Company;"

"An act for the relief of the town of Greenville;"

"An act to authorize the Board of Public Works to survey and construct the continuation of certain railroads within the State of Indiana;"

"An act to amend the recorded plat of the town of Athens;"

"An act to revive and amend an act, entitled 'An act to incorporate the town of Caledonia;'"

"An act to authorize Samuel Hillon and Sylvanus Mason to build a mill-dam across Big Muddy river;"

"An act to locate a State road from Griggsville, in Pike county, to the Mississippi river;"

"An act supplemental to 'An act to establish the counties of Menard, Logan, and Dane;'"

"An act to incorporate agricultural societies;"

"An act to establish a State road in Franklin and Union counties;"

"An act to authorize the commissioners of Crawford county to appoint persons to locate a certain road therein."

Mr. Hackelton, from the same committee, afterwards reported that the above mentioned bills were, on this day, laid before the Council of Revision.

Mr. Little, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Kankakee Manufacturing Company," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Little, from the same committee, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the town of Lacon, in Marshall county," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Little, from the same committee, to which was referred a bill, entitled "An act to amend an act, entitled 'An act concerning justices of the peace and constables,'" reported the same back with an amendment; which was read and concurred in.

On motion of Mr. Witt,

Referred to a select committee.

Ordered, That Messrs. Witt, Little, and Thomas, be that committee.

Mr. Gatewood, from the select committee to which was referred the bill from the House of Representatives, entitled "An act to change the

time of holding courts in the third judicial circuit in this State," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

On motion of Mr. Hamlin,

The bill from the House of Representatives, entitled "An act to dispose of the territory lying west of the Illinois river, in the county of Putnam, and for other purposes," was taken up, and read.

Ordered to a second reading.

On motion of Mr. Butler,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Butler, Hamlin, and Thomas, be that committee.

On motion,

The Senate adjourned.

THURSDAY, FEBRUARY 28, 1839.

Senate met pursuant to adjournment.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act to vacate the town plat of East Lockport;"

"An act to incorporate the Commerce Hotel Company;"

"An act to incorporate the Hamilton Seminary;"

"An act to authorize St. Clair county to establish a ferry across the Mississippi river;"

"An act to establish the county of Williamson;"

"An act to amend 'An act regulating the mode of trying the right of property;"

"An act declaring the Des Plaines river a navigable stream;"

"An act to relocate part of the State road from Mount Vernon to Fairfield;"

"An act to incorporate the Warsaw Marine and Fire Insurance Company;"

"An act to incorporate the Fulton County Mutual Fire Insurance Company;" and

"An act making an appropriation for the improvement of the Embarrass river."

Mr. Butler, from the select committee to which was referred the bill from the House of Representatives, entitled "An act to dispose of the territory lying west of the Illinois river, in the county of Putnam, and

for other purposes," reported the same back with amendments; which were read and concurred in.

Ordered to a third reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

On motion of Mr. Hamlin,

The title was so amended as to make it read, "An act for the formation of the county of Stark, and for other purposes."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments of the Senate thereto.

Mr. Stadden, from the select committee to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Centre Bridge Company at Ottawa," reported the same back with amendments; which were read and concurred in.

Ordered to a third reading.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments of the Senate thereto.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendment to the bill from the House, entitled "An act to locate and establish certain State roads in Peoria and Knox counties."

They have concurred in the report of the committee of conference on the disagreeing vote of the two Houses on the amendment of the Senate to the bill from the House, entitled "An act for the formation of Lake county."

They have concurred with the Senate in the passage of the bill, entitled "An act to authorize George W. Jones to establish a ferry from Jordan's ferry to Du Buque," as amended by them.

In which amendment they ask the concurrence of the Senate.

The Council of Revision have returned to the House, with their objections, the bill for "An act regulating evidence in certain cases." They have amended the same to obviate the objections of the Council, and have repassed said bill.

In the repassage of which they ask the concurrence of the Senate. And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the Council of Revision have returned to the House, with their objections, the bill for "An act to authorize the Governor to appoint Bank directors;" that the House have amended the same, and repassed said bill.

In the repassage of which they ask the concurrence of the Senate. And he withdrew.

Mr. Churchill, from the committee on School Lands and Education, to which was referred the bill, entitled "An act in relation to common schools," reported the same back with amendments; which were read and concurred in.

On the question—"Shall the bill, as amended, be read a third time?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Gibbs, Greer, Hamlin, Hunter, Little, Mills, Moore, Monroe, O'Rear, Ross, Servant, Thomas, and Weatherford—21.

Those who voted in the negative, are,

Messrs. Fletcher, Gaston, Hacker, Hackelton, Harrison, Johnston, Mitchell, Nunnally, Parrish, Richardson, Warren, Witt, and Wood—13.

Mr. Ross moved that the rule of the Senate be dispensed with, and said bill read a third time by its title; which was not agreed to.

Mr. Fletcher, from the select committee to which was referred the bill for "An act to incorporate the Menard Bridge Company," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed and read a third time.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

On motion of Mr. Fletcher,

The title was so amended as to make it read, "An act to incorporate the Menard Bridge Company."

Ordered, That the title be as amended, that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Churchill, from the committee on Education, to which had been referred the bill, entitled "An act to provide for the application of the interest of the township and State school fund," reported the same back with amendments; which were read;

And on the question—"Will the Senate concur in the amendments of the committee to said bill?"

It was decided in the negative.

On motion of Mr. Thomas,

Said bill was referred to the committee on the Judiciary.

On motion of Mr. Weatherford,

The bill some days since laid on the table, entitled "An act defining the duties of the public binder or binders," was taken up, and,

On motion of Mr. Weatherford,

Referred to a select committee.

Ordered, That Messrs. Weatherford, Browning, and Hacker, be that committee.

Mr. Peck, from the committee on Finance, to which was referred the bill for "An act providing for a geological survey of the State, and for other purposes," reported the same back without amendment; and,

On motion of Mr. Peck,

Laid on the table.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed bills of the following titles, viz:

- "An act to protect the Cumberland road and prevent trespasses;"
- "An act to locate a State road from Belleville to Brownsville;"
- "An act to authorize the sale of the saline lands in Bond county;"
- "An act to declare Little Rock river navigable;"
- "An act authorizing the appointment of a commissioner of roads to construct bridges and turnpikes;"
- "An act concerning certain school funds in Wabash county;"
- "An act for the relief of Henry county;"
- "An act to repeal 'An act concerning the State road from Vienna to Equality,'" and
- "An act extending the time to the Springfield and Alton Turnpike Road Company to complete said road."

In the passage of which they ask the concurrence of the Senate. And he withdrew.

A message from the Council of Revision, by Mr. Hackelton:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

- "An act to locate a State road therein named;"
- "An act to define the manner of proceeding in petitioning the General Assembly for locating and altering State roads;"
- "An act respecting section 16, in township 2 south, in range 14 west, in Edwards county;"
- "An act to establish a State road from Rushville, in Schuyler county, to Pittsfield, in Pike county;"
- "An act to lay out a State road from Shelbyville, in Shelby county, to Decatur, in Macon county;"
- "An act concerning a State road in the county of Fulton;"
- "An act to authorize the sale of school land in Edwards county;"
- "An act in addition to the several acts authorizing and regulating the sale of school lands;"
- "An act to locate a certain State road therein mentioned;"
- "An act to incorporate the town of Kankakee;"
- "An act supplementary to an act prescribing the mode of trying the right of property;"
- "An act for the relief of Calhoun county;"
- "An act further to provide for the release and extinction of mortgages;"
- "An act for the relief of the trustees of Shawneetown;"
- "An act to amend the act, entitled 'An act declaring what shall be evidence in certain cases,' approved January 10, 1827;" and
- "An act supplemental to the several acts relative to the Wabash Navigation Company." And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills of the following titles, viz:

"An act to establish a justice's district in township seven north, range seven east, in Peoria county;"

"An act to incorporate the Galena Chamber of Commerce;"

"An act changing the place of depositing the public money;"

"An act relating to common schools in the city of Chicago;"

"An act fixing the salary of the Governor, and requiring him to reside at the seat of Government;"

"An act to vacate the town plat of the towns of Caledonia, and the first addition to the town of Rome, in the county of Peoria;" and

"An act supplemental to 'An act to incorporate the Quincy, Griggsville, and Springfield Turnpike Company,' approved March 1, 1837."

And he withdrew.

Mr. Johnston, from the select committee to which was referred a bill for "An act to locate a State road from McKinzie's place, in Hamilton county, to Shawneetown, in Gallatin county," reported the same back without amendment, and recommended the rejection of said bill.

On the question—"Shall the bill be read a third time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Allen,

The bill, entitled "An act for the formation of De Witt county," was taken up;

And on the question—"Will the Senate concur with the House of Representatives in their amendments to said bill?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Hacker, from the committee on Internal Improvements, to which was referred the bill from the House of Representatives, entitled "An act for the relief of John Winstanly and Hugh Duffy," reported the same back without amendment.

Mr. Monroe moved to lay said bill on the table; which was decided in the affirmative.

Mr. Hackelton, from the select committee to which was referred a bill for "An act to incorporate the Spoon River Turnpike Road Company," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed and read a third time.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

On motion of Mr. Hackelton,

The title was amended, by striking out the words "Spoon River," and inserting "Fulton."

Ordered, That the title be as aforesaid, that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Little, from the select committee to which was referred a bill for "An act to amend an act, entitled 'An act concerning justices of the peace and constables,'" reported the same back with an amendment; which was read.

Mr. Browning moved to amend the amendment, by inserting, between the words "aggregate" and "but," in the fifth line, the words "as quarter sections of land;" also, after the word "number," in the eighth line, "as town lots;" which was agreed to; and the amendments, as amended, were then concurred in.

Ordered to be engrossed as amended, and read a third time.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and the message just received, containing the bill from the House of Representatives, entitled "An act to authorize the Governor to appoint Bank directors," together with the objections of the Council of Revision, was taken up.

Mr. Peck moved to amend the amendment of the House of Representatives, by inserting, after the word "Bank," in the third line, the words "of Illinois;" which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Gaston, Hackelton, Hunter, Johnston, Monroe, Nunnally, Parrish, Peck, Weatherford, and Witt—10.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Browning, Butler, Churchill, Davidson, Fithian, Gibbs, Greer, Hamlin, Harrison, Mills, Moore, Murray, O'Rear, Ross, Servant, Thomas, and Wood—20.

The question then recurring on concurring with the House of Representatives in their amendment to said bill,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Mills, Moore, Murray, O'Rear, Ross, Servant, Thomas, and Wood—19.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Gibbs, Hackelton, Hunter, Johnston, Monroe, Nunnally, Parrish, Peck, Weatherford, and Witt—12.

On the question—"Shall the bill be repassed?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Monroe, from the select committee to which was referred a bill for "An act relative to the town of Charleston, and other purposes," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed, as amended, and read a third time.

Mr. Witt moved to take up the bill heretofore laid upon the table, entitled "An act to locate and establish, alter, change, and relocate State roads;" which was agreed to; the bill read, and

Ordered to a second reading.

On motion,

The Senate adjourned until two o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform

the Senate that they have concurred with the Senate in the passage of bills of the following titles, viz:

"An act to incorporate the Greenfield Hotel Company, in Greene county;"

"An act to incorporate the Springfield Academy, in the county of Sangamon;" and

"An act to incorporate the town of Rushville."

They have also concurred with the Senate, in the passage of bills, entitled

"An act to locate a State road from Charleston to James Keiler's, on the Springfield trace;" and

"An act to amend an act to incorporate the Wabash and Indiana Railroad Company," as amended by them.

In which amendments they ask the concurrence of the Senate.

They refuse to concur in the amendments of the Senate to the bill from the House, entitled "An act to incorporate the Mount Carmel Manufacturing Company."

They have concurred in the amendment of the Senate to the amendment of the House to the bill from the Senate, entitled "An act supplemental to the act, entitled 'An act to provide for a loan for canal purposes;'"

And he withdrew.

The engrossed bill, entitled "An act concerning the town of Naples," was read a third time, and,

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hamlin, Hunter, Little, Mills, Murray, O'Rear, and Thomas—18.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Hacker, Harrison, Johnston, Mitchell, Moore, Nunnally, Parrish, Peck, Warren, Weatherford, Witt, and Wood—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

A message from the House of Representatives, by Mr. Cloud:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed a bill for "An act to extend the time for the completion of the Caledonia railroad."

In the passage of which they ask the concurrence of the Senate.

And he withdrew.

The engrossed bill, entitled "An act to amend an act, entitled 'An act concerning justices of the peace and constables,'" was read a third time; and,

On the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Hackelton, Hamlin, Harrison, Little, and Peck—9.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Fithian, Fletcher, Gaston, Gatewood,

Gibbs, Hacker, Hunter, Johnston, Mills, Mitchell, Moore, Murray, Nunnally, O'Rear, Parrish, Richardson, Ross, Servant, Thomas, Warren, Weatherford, Witt, and Wood—25.

On motion of Mr. Witt,

The bill from the House of Representatives, entitled "An act for the relief of John Winstanly and Hugh Duffy," was taken up.

Mr. Murray moved to amend the same, by adding the following section:

"The appropriation made by the foregoing section shall be paid upon condition that the Board of Public Works shall, upon an examination of the accounts and all matters connected with the same, be satisfied that the claimants are entitled to the sum claimed, upon the principles of equity and justice; and if the said Board shall be satisfied, from an examination as aforesaid, that said claimants are entitled to any pay from the State, the Board shall pay the same, provided the amount paid shall not exceed the sum herein appropriated; and it is hereby made the duty of the Board of Public Works, at their first meeting, to examine and settle said account."

Mr. Peck moved to amend said amendment, by striking out the words "and it is hereby made the duty of the Board of Public Works, at their first meeting, to examine and settle said account;" which was agreed to.

Whereupon,

The question recurring upon the adoption of the amendment as amended, it was agreed to.

The question was now put—"Shall the bill pass?"

And decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendment of the Senate thereto.

Mr. Ross moved that the rule be suspended, and that the bill, entitled "An act to locate and establish, change, alter, and relocate State roads," be now taken up; which was agreed to; the bill taken up, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was further dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act to authorize a loan of money," was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Browning,

The rule of the Senate was further dispensed with, and said bill read a third time, and,

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,
Messrs. Allen, Borough, Browning, Butler, Churchill, Davidson, Fletcher, Greer, Harrison, Little, Mills, Mitchell, Monroe, ORear, Peck, Thomas, Warren, Witt, and Wood—19.

Those who voted in the negative, are,
Messrs. Blackwell, Fithian, Gibbs, Hacker, Hackelton, Hamlin, Hunter, Johnston, Moore, Richardson, Ross, Servant, and Weatherford—14.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The Council of Revision have returned to the House the bill for "An act to establish the county of Hardin," with their objections.

The House have amended the same to obviate the objections of the Council, and have repassed said bill.

In the repassage of which they ask the concurrence of the Senate.

The House of Representatives have passed the bills of the following titles, viz:

"An act to incorporate the Greene County Mutual Fire Insurance Company;"

"An act to define the term of office of the Commissioners of Public Works;"

"An act to construct a turnpike road from Chaleston to Darwin;" and

"An act for the relief of Ezekiel Lane, Matthew K. Martin, and David Martin."

In the passage of which they ask the concurrence of the Senate.

And he withdrew.

The bill from the House of Representatives, entitled "An act to incorporate the Warren County Male and Female Seminary," was taken up, read, and

Ordered to a second reading.

On motion of Mr. Butler,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on School Lands and Education.

The bill from the House of Representatives, entitled "An act to incorporate the seminaries of learning therein named," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second time by its title, and,

On motion of Mr. Harrison,

Amended by adding the following additional section:

"Sec. 19. H. Foote, L. Malstthrop, J. M. Johnson, Wm. R. Wheeler, Simeon Fowle, W. Earll, David A. Holt, and James D. Brinsmade, are hereby appointed trustees of the Kishwaukee Seminary, to be located at Kishwaukee, on Rock river, in Winnebago county."

On motion of Mr. Weatherford,

Referred to the committee on School Lands and Education.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the passage of the bill, entitled "An act to incorporate the Quincy House Company."

They refuse to concur in the 2d and 10th amendments of the Senate to the bill from the House, entitled "An act making appropriations for the years 1839 and 1840;" but have concurred in the other amendments of the Senate to said bill, as amended by them.

In which amendments they ask the concurrence of the Senate.

And he withdrew.

The bill from the House of Representatives, entitled "An act to locate a State road from Bloomington to Lexington, in McLean county," was read, and

Ordered to a second reading.

On motion of Mr. Allen,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Allen,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

On motion of Mr. Little,

The bill, entitled "An act to amend an act, entitled 'An act concerning justices of the peace and constables,'" was taken up, and,

On motion of Mr. Little,

Amended by striking out two sections.

On motion of Mr. Hacker,

The bill was further amended, by striking out the third section.

On the question—Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fletcher, Gatewood, Greer, Hacker, Hackelton, Hamlin, Harrison, Hunter, Johnston, Little, Mitchell, Monroe, Peck, Warren, and Wood—20.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Fithian, Gaston, Gibbs, Moore, Nunnally, O'Rear, Ross, Servant, Thomas, Weatherford, and Witt—13.

On motion of Mr. Little,

The title was amended, so as to read, "An act supplementary to an act concerning the public revenue."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage thereof.

A message from the House of Representatives, by Mr. R. Smith:

Mr. Speaker: The House of Representatives have passed a bill of the following title, viz: "An act to amend an act, entitled 'An act in relation to garnishees, approved February 12, 1839.'"

In the passage of which they ask the concurrence of the Senate.

And he withdrew.

The bill from the House of Representatives, entitled "An act for the relief of James Brooks and others," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Weatherford,

The rule of the Senate was further dispensed with, and said bill read a third time by its title.

Mr. Hacker moved to strike out the second section; which was agreed to.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Butler, Churchill, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hamlin, Johnston, Mitchell, Moore, O'Rear, Parrish, Thomas, Warren, Witt, and Wood—21.

Those who voted in the negative, are,

Messrs. Blackwell, Davidson, Fithian, Hunter, Mills, Monroe, Peck, Servant, and Weatherford—9.

On the question—"Shall the bill pass?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Borough, Greer, Hacker, Hackelton, Hunter, Peck, Ross, Servant, Thomas, Weatherford, and Witt—11.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gaston, Gatewood, Gibbs, Hamlin, Johnston, Mills, Mitchell, Moore, Monroe, Nunnally, O'Rear, Parrish, Warren, and Wood—22.

Ordered, That the Secretary inform the House of Representatives thereof.

The engrossed bill, entitled "An act to provide for building fire-proof offices in Morgan county," was read a third time, and,

On motion of Mr. Browning,

Laid on the table.

The engrossed bill, entitled "An act to incorporate the Golconda Seminary," was read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The bills from the House of Representatives, entitled

"An act to amend the law in relation to sheriffs and coroners;"

"An act to incorporate the town of Decatur;" and

"An act to relocate part of a State road from Quincy to Macomb;"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

The engrossed bill, entitled "An act to authorize Joshua Vandruff to establish a ferry across Rock river, at Vandruff's island," was read a third time, as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform

the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Richardson moved to reconsider the vote just taken on the passage of a bill, entitled "An act to amend an act, entitled 'An act concerning justices of the peace and constables;'" which was agreed to, and,

On motion of Mr. Richardson,

Said bill was laid on the table.

The bill from the House of Representatives, entitled "An act to incorporate the trustees of the Rushville Female Seminary," was read, and

Ordered to a second reading.

On motion of Mr. Richardson,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend an act, entitled 'An act to incorporate the city of Alton,'" was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Churchill, Thomas, and Servant, be that committee.

The bill from the House of Representatives, entitled "An act vacating a part of the town of Illinois city, and changing the name of the residue to that of Uniontown," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Gibbs,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, contained in the message just received, entitled "An act to establish the county of Hardin," together with the objections of the Council of Revision to the same, was taken up.

The amendments of the House of Representatives to said bill were read and concurred in.

On the question—"Shall the bill be repassed, as amended?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to authorize Narcisse Penconneau to build a bridge over the Kaskaskia river, at Athens, in St. Clair county," was read, and

Ordered to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act for the benefit of the counties therein named," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Weatherford, Peck, and Harrison, be that committee.

The bill from the House of Representatives, entitled "An act for the relief of John McMennaway, late sheriff of Macon county," was read, and

Ordered to a second reading.

On motion of Mr. Allen,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Allen, Thomas, and Little, be that committee.

The bill from the House of Representatives, entitled "An act to establish the Mississippi Ferry Company, at Savannah, and for other purposes," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Hackelton, from the committee on Enrolled Bills, reported that the bills, reported on this day as correctly enrolled, had been laid before the Council of Revision; and, also, "An act to establish the county of Jersey," as correctly enrolled, and laid before the Council of Revision.

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, contained in the message, entitled "An act making appropriations for the years 1839 and 1840," was taken up;

And the question being upon receding from the amendments which were not concurred in by the House of Representatives,

Mr. Ross called for a division of the question.

On the question—"Will the Senate adhere to their amendment in striking out 'seven,' and inserting 'six,' in the second amendment of the Senate?"

It was decided in the negative.

Those who voted in the affirmative, are,
Messrs. Churchill, Fithian, Greer, Little, Moore, Monroe, Murray, Nunnally, Ross, and Wood—10.

Those who voted in the negative, are,
Messrs. Allen, Blackwell, Dorough, Browning, Butler, Davidson, Fletcher, Gaston, Gatewood, Gibbs, Hacker, Hackelton, Hamlin, Harrison, Hunter, Johnston, Mills, Mitchell, O'Rear, Parrish, Peck, Servant, Thomas, Warren, and Weatherford—25.

The question then recurring on the question—"Will the Senate adhere to the tenth amendment of the Senate to said bill?"

It was decided in the negative.

On the question—"Will the Senate concur with the House of Representatives in their amendment to the amendment of the Senate?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate the town of Shelbyville," was read, and

Ordered to a second reading.

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Warren moved to amend said bill, by adding the following, viz:

"*Provided*, That nothing herein contained shall exempt the citizens of said corporation from working on the public highways as heretofore;" which was agreed to.

Ordered to a third reading, as amended.

On motion of Mr. Warren,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

The bill from the House of Representatives, entitled "An act for the benefit of Jefferson county," was read, and

Ordered to a second reading.

On motion of Mr. Johnston,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and the bill from the House of Representatives, entitled "An act to locate and establish, and alter, change, and relocate State roads," sometime since laid on the table, was taken up.

Mr. Ross moved to amend the sixty-second section of the bill, as follows, viz:

Strike out the words, "thence to intersect the State road from Rushville, via Henley's mill and Clayton, to Quincy, at the nearest and most eligible

point east of Columbus," and insert the following: "thence, through Clayton, in Adams county, to Mount Sterling, in Brown county;" which was agreed to.

Mr. Browning moved to amend the bill, by adding the following, as an additional section, viz:

"There shall be allowed, to the Speaker pro tem. of the Senate, seven dollars per day, for each day he has served in that capacity during the present session of the General Assembly, in lieu of the allowance made him in the appropriation bill;" which was agreed to.

Ordered to a third reading, as amended.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a third time by its title, as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to authorize John A. McClanahan, William James, George F. Stolle, and Frederick Reeman, to build a mill-dam in Fayette county;" and

"An act to provide for the dedication of lots, in towns situated on canal lands, to public purposes."

And he withdrew.

Mr. Gaston moved for leave to record his protest upon the passage of the bill, entitled "An act to authorize a loan of money," heretofore passed the Senate; which was not granted.

The bill from the House of Representatives, entitled "An act to incorporate the Northern division of the American bottom," was read, and

Ordered to a second reading.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Murray,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act to relocate and build the penitentiary," was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Warren moved to refer the bill to a select committee; which was not agreed to.

Mr. Churchill moved to refer to the committee on the Penitentiary; which was not agreed to.

Mr. Ross moved to refer the bill to the committee on the Judiciary; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Churchill, Davidson, Fletcher, Gibbs, Greer, Hackelton, Harrison, Hunter, Mills, Moore, Murray, Nunnally, Ross, Servant, and Witt—18.

Those who voted in the negative, are,

Messrs. Blackwell, Butler, Fithian, Gaston, Gatewood, Hacker, Hamlin, Johnston, Little, Mitchell, Monroe, O'Rear, Parrish, Peck, Stadden, Thomas, Warren, Weatherford, and Wood—19.

Mr. Warren moved to lay the bill upon the table until the fourth of July next.

Mr. Ross moved to lay on the table; which was not agreed to.

The question then recurring on Mr. Warren's motion to lay on the table until the fourth day of July next,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Butler, Gaston, Gatewood, Gibbs, Greer, Hacker, Hackelton, Hamlin, Hunter, Johnston, Little, Mills, Mitchell, Monroe, Nunnally, O'Rear, Parrish, Peck, Stadden, Warren, Weatherford, and Wood—22.

Those who voted in the negative, are,

Messrs. Allen, Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Harrison, Moore, Murray, Ross, Servant, Thomas, and Witt—14.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned.

FRIDAY, MARCH 1, 1839.

Senate met pursuant to adjournment.

Mr. Browning, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Warren County Male and Female Seminary," reported the same back without amendment.

Ordered to a third reading.

On motion of Mr. Butler,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Churchill, from the select committee to which was referred a bill from the House of Representatives, entitled "An act to amend an act, entitled 'An act to incorporate the city of Alton,'" reported the same back with sundry amendments; which were read and concurred in.

Ordered to a third reading, as amended.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

Mr. Allen, from the select committee to which was referred the bill from the House of Representatives, entitled "An act for the relief of John McMennaway, late sheriff of Macon county," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Weatherford, from the select committee to which was referred a bill, entitled "An act defining the duties of the public binder or binders," reported the same back with an amendment: which was read and concurred in.

Ordered to be engrossed, as amended, and read a third time.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with the Senate in the passage of bills, entitled

"An act for the benefit of Vestry Adeline Martin;"

"An act to incorporate the Shawneetown and New Haven Railroad Company;"

"An act to alter a certain road in Fayette county;"

"An act to relocate a part of the State road leading from Appanoose to the Drowning fork of Crooked creek;"

"An act to incorporate the Exeter Manufacturing Company;" and

"An act supplementary to an act concerning the public revenue."

They have passed bills, entitled

"An act to incorporate to the Tazewell County Commercial and Fire Insurance Company;"

"An act concerning the sale of real estate of deceased persons by executors and administrators in settling estates;" and

"An act to establish a State road from Salem to Pinckneyville."

In the passage of which several bills they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the preamble

and resolutions relative to a grant of land from the United States for the use of the railroad from Alton to Mount Carmel.

And then he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act to incorporate the Galena Chamber of Commerce;"

"An act to establish certain State roads in Peoria and Knox counties;"

"An act relating to common schools in the city of Chicago;"

"An act for the formation of De Witt county;"

"An act for the formation of Lake county;"

"An act further to amend the act, entitled 'An act to establish and maintain a general system of internal improvements;'"

"An act to incorporate the Springfield Academy, in the county of Sangamon;"

"An act to incorporate the town of Rushville;"

"An act to incorporate the New Greenville Hotel Company, in Greene county;" and

"An act to incorporate the Kaskaskia Insurance Company."

Mr. Hackelton, afterwards, from the same committee, reported that the above mentioned bills were, on this day, laid before the Council of Revision.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in their amendments to the bills from the House of Representatives, entitled

"An act to amend the several acts concerning administrators and apprentices;"

"An act making the office of school commissioner elective by the people;"

"An act to dispose of the territory lying west of the Illinois river, in the county of Putnam, and for other purposes;" and

"An act to add range one to the counties of Marshall and Putnam."

They have also concurred with them in their amendments to the titles of the two last named bills.

And he withdrew.

Mr. Hacker, from the committee on Internal Improvements, to which was referred a bill, entitled "An act to prevent emigration into this State from the provinces of Upper and Lower Canada," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed and read a third time.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Mr. Hacker moved to amend the title of said bill, so as to make it read, "An act further supplementary to the act in relation to internal improvements;" which was agreed to.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bill, entitled "An act in relation to the town of Charleston, and for other purposes," was read a third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The engrossed bill, entitled "An act in relation to the duties of Fund Commissioners," was read a third time.

Mr. Fithian moved that said bill be laid on the table; which was not agreed to.

Mr. Fletcher moved to refer the same to the committee on Internal Improvements; which was not agreed to.

Mr. Monroe moved to refer the same to a select committee; which was agreed to.

Ordered, That Messrs. Monroe, Gatewood, and Browning, be that committee.

The bills from the House of Representatives, entitled

"An act for the relief of Enoch Enloe;" and

"An act to incorporate the Illinois Legion;"

Were severally read a first time;

And on the question—"Shall the same be read a second time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act authorizing the sale of certain school lands in Vermilion county," was read; and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Fithian,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The Council of Revision have returned to the House, with their objections, the bill for "An act to authorize St. Clair county to establish a ferry across the Mississippi river;" that the House have amended the same to obviate the objections of the Council, and have repassed said bill.

In the repassage of which I am directed to ask the concurrence of the Senate.

The House refuse to read a third time the bill from the Senate, entitled "An act concerning deeds executed without this State."

They refuse to concur in the amendments of the Senate to the bill from the House of Representatives, entitled "An act define the bounds of Boone county."

They refuse to recede from their amendments to the bill from the Senate, entitled "An act to amend the several laws in relation to appeal bonds and the trial of appeals;" and ask for the appointment of a committee of conference on the disagreeing vote of the two Houses, and have appointed Messrs. Murphy of Vermilion, Logan, and Hardin, the committee on their part.

They have adopted the following resolution, viz:

Resolved by the House of Representatives, the Senate concurring herein, That the General Assembly shall stand adjourned, *sine die*, on Monday, fourth of March, at 9 o'clock, A. M.

In the adoption of which resolution they ask the concurrence of the Senate. And he withdrew.

Mr. Gatewood, from the committee on Internal Improvements, to which was referred the bill, entitled "An act authorizing the county commissioners' court to construct certain roads in Greene county," reported the same back with sundry amendments; which were read.

Mr. Hamlin moved further to amend the said bill, by striking out the amendments of said committee; which was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Browning, Butler, Fithian, Gaston, Hamlin, Moore, Nunnally, Servant, and Wood—10.

Those who voted in the negative, are,

Messrs. Allen, Borough, Davidson, Gatewood, Greer, Hacker, Hackelton, Harrison, Hunter, Johnston, Mills, Mitchell, Parrish Peck, Ross, Stadden, Warren, Weatherford, and Witt—19.

Mr. Hunter moved to amend the amendment, by adding the following section, viz:

"Sec. 5. That the saline lands in the county of Bond be sold, and the proceeds thereof paid over to the county commissioners of said county, and by them expended in erecting bridges across Shoal creek, in said county, on the road leading from Vandalia to Alton and St. Louis;" which was agreed to.

The question now recurring upon concurring with the committee in their amendment,

It was decided in the affirmative.

On motion of Mr. Borough,

Said bill was referred to a select committee.

Ordered, That Messrs. Borough, Witt, and Gatewood, be that committee.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of the bill, entitled "An act authorizing a survey therein named," as amended by them.

They have also concurred with them in the passage of the bill, entitled "An act authorizing the settlement of the accounts of James Turney, late Attorney General," as amended by them; and amend the title thereof, by adding the words, "and for establishing two additional branches of the Bank of Illinois."

They have also concurred with them in the passage of the bill, entitled "An act to vacate and relocate a part of the State road leading from

White's ferry to the Drowning fork of Crooked creek," as amended by them; and they have amended the title thereof, so as to read, "An act concerning the town of Moscow, in Wayne county."

In which amendments to the said several bills they ask the concurrence of the Senate. And he withdrew.

Mr. Borough, from the select committee to which was referred the bill from the House of Representatives, entitled "An act authorizing the county commissioners' court to construct certain roads in Greene county," reported the same back with amendments; which were read and concurred in.

Ordered to a third reading.

On motion of Mr. Witt,

Said bill was read a third time by its title;

And on the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Churchill, Gatewood, Gibbs, Hacker, Hackelton, Hunter, Johnston, Mills, Mitchell, Monroe, Murray, Nunnally, Parrish, Peck, Stadden, Warren, Weatherford, and Witt—20.

Those who voted in the negative, are,

Messrs. Blackwell, Browning, Butler, Davidson, Fletcher, Gaston, Greer, Hamlin, Little, Moore, Servant, Thomas, and Wood—13.

On motion of Mr. Witt,

The title was amended, by adding to the end thereof, the words, "and for other purposes."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments of the Senate thereto.

On motion of Mr. Murray,

The rule of the Senate was dispensed with, and the bill contained in the message from the House of Representatives, entitled "An act authorizing St. Clair county to establish a ferry across the Mississippi river," with the objections of the Council of Revision, was taken up;

And on the question—"Will the Senate concur in the amendments of the House of Representatives to said bill?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Churchill, Fletcher, Gaston, Gibbs, Greer, Hacker, Hunter, Johnston, Mills, Mitchell, Monroe, Murray, Nunnally, O'Rear, Parrish, Peck, Stadden, Warren, and Wood—22.

Those who voted in the negative, are,

Messrs. Browning, Butler, Davidson, Fithian, Little, Ross, Servant, Thomas, and Weatherford—9.

On the question—"Shall the bill be repassed as amended?"

It was decided in the affirmative.

The bill from the House of Representatives, entitled "An act altering, in part, Archer's addition to Lockport," was read, and

Ordered to a second reading.

On motion of Mr. Monroe,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Monroe,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

The bill from the House of Representatives, entitled "An act to construct a turnpike road from Charleston to Darwin," was read, and

Ordered to a second reading.

On motion of Mr. Nunnally,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Thomas,

The rule was further dispensed with, and said bill read a third time by its title.

Mr. Nunnally moved to amend said bill, by adding the following, as an additional section, viz:

"And the further sum of twenty thousand dollars is hereby appropriated, out of the internal improvement fund, to improve the Vincennes and Chicago road, including the new change in said road in the county of Edgar, to be expended under the direction and superintendence of the Commissioner of Public Works of the fourth judicial circuit, in the most economical and advantageous manner, so soon as the same may become available;" which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Borough, Mitchell, Nunnally, Peck, Richardson, Stadden, and Weatherford—7.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fletcher, Gaston, Gatewood, Gibbs, Greer, Hacker, Hamlin, Harrison, Hunter, Little, Mills, Moore, Monroe, Murray, O'Rear, Parrish, Servant, and Thomas—24.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Davidson, Fletcher, Gatewood, Greer, Hacker, Harrison, Hunter, Little, Mills, Monroe, Parrish, Peck, Richardson, Stadden, Thomas, Warren, and Wood—19.

Those who voted in the negative, are,

Messrs. Borough, Browning, Butier, Churchill, Gaston, Gibbs, Hamlin, Mitchell, Moore, Murray, Nunnally, O'Rear, Ross, Servant, and Weatherford—15.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendments to the bill from the House, entitled "An act to revive an act, entitled 'An act to incorporate the stockholders of the Randolph Manufacturing Company,' approved January 16, 1836."

And he withdrew.

Mr. Gatewood moved to dispense with the rule of the Senate, and to reconsider the vote heretefore taken on the bill, entitled "An act to amend

an act, entitled 'An act to encourage the killing of wolves,' approved February 15, 1837;" which was agreed to; and,

On motion of Mr. Gatewood,

The rule of the Senate was further dispensed with, and said bill read a third time by its title.

Mr. Weatherford moved to amend, by adding the following additional section, viz:

"That it shall be the duty of the county commissioners' clerk, when he shall grant any certificate under the provisions of this act, to destroy the scalps upon which such certificates shall have been granted;" which was not agreed to.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Browning, Butler, Fletcher, Gaston, Gibbs, Greer, Hacker, Hamlin, Harrison, Hunter, Johnston, Little, Mitchell, Ross, Parrish, Peck, Turney, Witt, and Wood—21.

Those who voted in the negative, are,

Messrs. Allen, Churchill, Davidson, Gatewood, Mills, Moore, Murray, Stadden, Thomas, and Weatherford—10.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles, viz:

"An act to improve the navigation of Spoon river;"

"An act in relation to the town of Charleston;"

"An act to incorporate the Jo Daviess Mining and Smelting Company;"

"An act changing the name of the town of Florence, in White county;"

"An act concerning the school fund in township thirteen north, range eight west;"

"An act to amend an act, entitled 'An act to locate a State road from the Indiana line, northwest, in a direction to Mineral Point;'"

"An act to amend the several laws in relation to practice in courts of law, and for the benefit of A. McPhail and T. C. Kirkman;"

"An act to provide for the increase of facilities in procuring laborers on the public works;"

"An act to incorporate the Menard Bridge Company;"

"An act to amend the several laws in relation to appeal bonds, and the trial of appeals;"

"An act to authorize the reprinting of certain laws of this State;"

"An act concerning public roads in Schuyler county;"

"An act to incorporate the Amity Academy, in Bond county, and the Lebanon Female Academy, in St. Clair county;"

"An act to change the time of holding courts in the third judicial circuit in this State;"

"An act to incorporate the Fulton Turnpike Road Company;"

"An act for the relief of Wm. Hick and Timothy Guard;"

"An act regulating tavern and grocery license;"

"An act to provide for settlements with the representatives of deceased contractors upon public works, and for other purposes;"

"An act to incorporate the Golconda Seminary;"

"An act to regulate the compensation of sheriffs for conveying convicts to the Penitentiary;"

"An act describing the mode of expending part of the money arising from the sale of saline land which was appropriated to Marion county;"

"An act in relation to the town of Charleston;"

"An act to amend the act concerning marriages;"

"An act for a State road from Shelbyville, in Shelby county, to Hillsboro, in Montgomery county;"

"An act further supplementary to the act in relation to internal improvements;"

"An act to incorporate the seminaries of learning, therein named;"

"An act in relation to the penitentiary;"

"An act to amend an act, entitled 'An act establishing and regulating the inspection of tobacco in this State,' approved January 12, 1829;"

"An act to authorize the resurvey of the town of Peru, in La Salle county;"

"An act to authorize George W. Jones to establish a ferry from Jordan's ferry to Du Buque;"

"An act authorizing the settlement of the accounts of James Turney, late Attorney General, and for establishing two additional branches of the Bank of Illinois;"

"An act supplemental to the act incorporating the Beardstown and Sangamon Canal Company;" and

"An act relating to the duties of county commissioners."

The bill from the House of Representatives, entitled "An act declaring a certain county road in McLean county a State road," was read, and

Ordered to a second reading.

On motion of Mr. Allen,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to authorize the administrator of Wm. C. Ralls, deceased, to convey certain real estate," was read.

Whereupon,

Mr. Thomas moved the indefinite postponement of said bill; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend an act, entitled 'An act to encourage the killing of wolves,' approved February 15, 1837," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act authorizing sale of property in Hudsonville, and appropriating the avail thereof," was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend an act, entitled 'An act to create the county of Bureau,'" was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Browning moved to dispense with the rule of the Senate, for the purpose of making a report from the committee on School Lands and Education; which was not agreed to.

The bill from the House of Representatives, entitled "An act to locate and establish a State road in the counties of Kane and DeKalb," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Aux Plaines Steam Mill Company," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second time by its title, and,

On motion of Mr. Little,

Referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled, "An act to establish a State road in Alexander county," was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to locate a State road from Ellisville to Appanoose," was read, and,

On motion of Mr. Butler,

Laid on the table.

The bill from the House of Representatives, entitled "An act supplementary to 'An act relative to wills and testaments, executors and administrators, and the settlement of estates,' approved January 23, 1829," was read.

Mr. Thomas moved to postpone the further consideration of the bill indefinitely; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend 'An act concerning judgments and executions,' approved January 17, 1825," was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The further consideration of said bill was indefinitely postponed.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act to establish a justice's district in township seven north, range seven east, in Peoria county;"

"An act to vacate the town plats of the towns of Caledonia, and the first addition to the town of Rome, in the county of Peoria;"

"An act to encourage the culture of silk;"

"An act changing the place of depositing the public money;"

"An act supplemental to the act, entitled 'An act to provide for a loan for canal purposes;'"

"An act fixing the salary of the Governor, and requiring him to reside at the seat of Government;"

"An act supplemental to 'An act to incorporate the Quincy, Griggsville, and Springfield Turnpike Company,' approved March 1, 1837;"

"An act to relocate a part of the State road leading from Appanoose to the Drowning fork of Crooked creek;"

"An act for the benefit of Vesty Adaline Martin;"

"An act to incorporate the Quincy House Company;"

"An act to alter a certain road in Fayette county;"

"An act to incorporate the Exeter Manufacturing Company;" and

"An act supplementary to an act concerning the public revenue."

Mr. Hackelton, from the same committee, reported that the above bills were, on this day, laid before the Council of Revision.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of a bill, entitled "An act defining and regulating proceedings in the action of ejectment."

They have concurred with the Senate in their amendments to the bills from the House of Representatives, entitled

"An act authorizing the improvement of the Big Muddy river;"

"An act to incorporate the town of Hennepin;"

"An act to incorporate the Genesee Manual Labor High School;"

"An act to incorporate the Illinois Insurance Company;" and

"An act to locate a State road from the dividing line between the counties of Vermilion and Iroquois, at the point where the Butterfield trace crosses said line."

And he withdrew.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act further to amend an act, entitled 'An act to establish and maintain a general system of internal improvements,'"

"An act to incorporate the Kaskaskia Insurance Company;"

"An act to incorporate the New Greenfield Hotel Company, in Greene county;"

"An act to incorporate the Galena Chamber of Commerce;"

"An act relating to common schools in the city of Chicago;"

"An act for the formation of De Witt county;" and

"An act to incorporate the Springfield Academy, in the county of Sangamon."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles, viz:

"An act to incorporate the trustees of the Rushville Female Seminary;"

"An act to relocate part of a State road from Quincy to Macomb;"

"An act to relocate the seat of justice of Livingston county;"

"An act to amend the law in relation to sheriffs and coroners;"

"An act to authorize a loan of money;"

"An act vacating a part of the town of Illinois city, and changing the name of the residue to that of Uniontown;"

"An act to provide for securing, to mechanics and others, liens for the value of labor and materials;"

"An act to authorize Narcise Penconneau to build a bridge over the Kaskaskia river, at Athens, in St. Clair county;" and

"An act to incorporate the Mount Carmel Grimke Literary Association."

Mr. Hackelton, from the same committee, afterwards reported that the above mentioned bills were laid before the Council of Revision.

The bill from the House of Representatives, entitled "An act authorizing the county commissioners' court of Madison county to levy and collect a special tax," was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, and the message from the House of Representatives taken up, containing the bills, entitled

"An act to vacate and relocate a part of the State road leading from White's ferry to the Drowning fork of Crooked creek;" and

"An act authorizing a survey therein named," as amended by the House of Representatives.

The amendments to said bills were read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Also a bill, entitled "An act authorizing the settlement of the accounts of James Turney, late Attorney General."

Whereupon,

Mr. Peck moved to amend the amendment of the House of Representatives, by adding the following, viz:

"*Provided, further*, That one of said branches shall be established at the city of Chicago;" which was agreed to.

Mr. Harrison moved to amend said amendment, as amended, by adding, "and the other at Galena;" which was agreed to.

And the question recurring on concurring with the House of Representatives in their amendment to the bill, as amended,

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and the message from the House of Representatives, containing the following bill, taken up:

The bill from the House of Representatives, entitled "An act to incorporate the Mount Carmel Manufacturing Company," as amended by the Senate; and,

"On the the question—Will the Senate adhere to its admendments to said bill?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Browning, Butler, Churchill, Davidson, Fithian, Gibbs, Harrison, Hunter, Johnston, Little, Richardson, Thomas, Weatherford, and Witt—14.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Borough, Fletcher, Hacker, Hackelton, Mills, Mitchell, Moore, Monroe, Murray, O'Rear, Parrish, Peck, Ross, Servant, and Warren—17.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act encourage the culture of silk;"

"An act supplemental to the act, entitled 'An act to provide for a loan for canal purposes;"

"An act to establish a justice's district in township seven north, range seven east, in Peoria county;"

"An act to alter a certain road in Fayette county;"

"An act fixing the salary of the Governor, and requiring him to reside at the seat of Government;"

"An act changing the place of depositing the public money;"

"An act supplementary to an act concerning the public revenue;"

"An act to relocate part of the State road leading from Appanoose to the Drowning fork of Crooked creek;"

"An act supplemental to 'An act to incorporate the Quincy, Griggsville, and Springfield Turnpike Company,' approved March 1, 1837;"

"An act to incorporate the Quincy House Company;"

"An act to incorporate the Exeter Manufacturing Company;" and

"An act to vacate the town plat of the towns of Caledonia, and the first addition to the town of Rome, in the county of Peoria."

And he withdrew.

On motion of Mr. Hacker,

The vote taken on laying on the table, until the fourth day of July, the bill for "An act regulating evidence in certain cases," together with the amendment of the House of Representatives to said bill, was reconsidered.

And the question recurring upon agreeing to the amendment of the House to said bill,

It was decided in the affirmative.

And the question then recurring upon the repassage of said bill, as amended,

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bills contained in the message of the House of Representatives, entitled

"An act to locate a State road from Charleston to James Keller's, on the Springfield trace;" and

"An act to amend an act to incorporate the Wabash and Indiana Railroad Company," were taken up, and

The amendments of the House of Representatives to said bills were severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof,

The bill from the House of Representatives, entitled "An act to establish a State road therein named," was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act for the distribution of certain school funds," was read.

Mr. Thomas moved to postpone the further consideration of said bill; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act for the relief of Andrew Cochran and others," was read, and

Ordered to a second reading.

On motion of Mr. Gibbs,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend an act in relation to religious societies," was read, and,

On the question—"Shall the bill be read a second time?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to vacate certain alleys in the town of Winnebago," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend an act, entitled 'An act relating to the office of recorder,'" was read,

Mr. Hacker moved to postpone said bill indefinitely; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to change the name of the town of Charleston, in Peoria county," was read, and,

On motion of Mr. Hamlin,

Laid on the table.

The bill from the House of Representatives, entitled "An act to amend an act concerning special bail," was read.

Mr. Peck moved to postpone said bill indefinitely; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act regulating evidence in certain cases," together with the objections of the Council of Revision thereto, was taken up, and read, as amended by the House of Representatives.

On motion of Mr. Hacker,

Laid on the table until the 4th day of July next.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to define the term of office of the Commissioners of Public Works," was read, and

Ordered to a second reading.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act supplemental to an act, entitled 'An act to amend an act for the limitation of actions and for avoiding vexatious law suits,'" together with the objections of the Council of Revision to the same was taken up.

On the question—"Will the Senate concur with the House of Representatives in their amendment to said bill?"

It was decided in the affirmative.

And on the question—"Will the Senate concur with the House of Representatives in the repassage of said bill?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to provide for the relocation of a State road therein named," was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read the second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to extend the time for the completion of the Caledonia railroad," was read.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of the bill entitled "An act to incorporate the Menard Bridge Company."

They have concurred with the Senate in their amendments to the bill from the House, entitled "An act to locate and establish, and alter, change, and relocate State roads."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act authorizing Daniel F. Hill to build a mill-dam;"

"An act to incorporate the town of Decatur;"

"An act to authorize the Governor to appoint Bank directors;"

"An act to incorporate the Northern division of the American bottom;"

"An act to locate and establish certain State roads in Peoria and Knox counties;

"An act to add range one to the counties of Marshall and Putnam;"

"An act to establish the county of Hardin;" and

"An act making appropriations for the years 1839 and 1840."

Mr. Hackelton, from the same committee, reported that the above mentioned bills had, on this day, been laid before the Council of Revision.

The bill from the House of Representatives, entitled "An act to relocate the seat of justice of the county of De Kalb," was read, and

Ordered to a second reading.

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Stadden,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

The bill from the House of Representatives, entitled "An act to incorporate the Franklin Institute," was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, said bill read a second time by its title, and,

Ordered to a third reading.

On motion of Mr. Parrish,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

On motion of Mr. Parrish,

The title was so amended, as to make it read, "An act to incorporate the Franklin Academy."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence to the amendments of the Senate thereto.

The bill from the House of Representatives, entitled "An act to incorporate the Chicago and Danville Railroad Company," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to regulate the mode of proceeding on the redemption of real estate sold under execution," was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

On motion of Mr. Thomas,

The bill from the House of Representatives, entitled "An act authorizing the appointment of commissioners of deeds," was taken up, and,

On motion of Mr. Thomas,

The further consideration of said bill was indefinitely postponed.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Bainbridge Academy, in Franklin county," was read, and

Ordered to a second reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Parrish,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of a bill, entitled "An act in relation to the penitentiary," as amended by them; in which amendments they ask the concurrence of the Senate.

They have also concurred with the Senate in the passage of the bill, entitled "An act to amend the several laws in relation to practice in courts of law," as amended by them.

They also amend the title of said bill, by adding the words, "and for the benefit of A. McPhail, and T. C. Kirkman."

In which amendments to said bill they ask the concurrence of the Senate.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendment to the bill from the House of Representatives, entitled "An act to incorporate the Fox River Manufacturing Company, and for other purposes."

They have also concurred in the amendment of the Senate to the title of said bill.

They have also concurred with the Senate in the passage of the bill, entitled "An act to authorize the county commissioners of the county of Winnebago to sell certain lots," as amended by them.

They have also amended the title of said bill, so as to read, "An act to relocate the county seat of Winnebago county,"

In which amendments to said bill and title they ask the concurrence of the Senate.

They have passed a bill of the following title, viz: "An act fixing the northern termination of the Central railroad."

In the passage of which they ask the concurrence of the Senate.

And he withdrew.

The bill from the House of Representatives, entitled "An act to locate a State road in McLean and Tazewell counties," was read, and

Ordered to a second reading.

On motion of Mr. Mitchell,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Mitchell,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Monroe moved to reconsider the vote heretofore given to lay upon

the table, until the fourth of July next, the bill from the House of Representatives, entitled "An act to relocate and build the penitentiary;" which was not agreed to.

The bill from the House of Representatives, entitled "An act to incorporate the Vandalia and Mississippi Turnpike Company," was read, and *Ordered* to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Blackwell,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and referred to the committee on the Judiciary.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendments to the bills from the House, entitled

"An act to incorporate the Centre Bridge Company, at Ottawa;" and

"An act to vacate certain alleys in the town of Tremont."

They refuse to concur in the amendments of the Senate to the title and bill from the House, entitled "An act authorizing the county commissioners' court to construct certain roads in Greene county."

And he withdrew.

The bill from the House of Representatives, entitled "An act to locate a State road from Nashville to Belleville," was read, and

Ordered to a second reading.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Murray,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act to incorporate the Winslow Bridge Company," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to incorporate the Vandalia and Alton Turnpike Road Company," was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

Mr. Servant moved that the rule of the Senate be dispensed with, for the purpose of taking under consideration the message from the Governor; not agreed to.

Mr. Witt moved that the rule of the Senate be dispensed with, for the purpose of taking up a certain bill in the message from the House of Representatives; not agreed to.

The resolution from the House of Representatives, authorizing and requesting the Governor to procure full length portraits, to be painted by American artists, of George Washington and Marquis De Lafayette, &c., was taken up, and,

On motion of Mr. Churchill,

Was amended by striking out "Marquis De" and inserting "General."

Mr. Gatewood moved to lay said resolution on the table; not agreed to.

On the question—"Shall the resolution, as amended, be adopted?"

It was decided in the affirmative.

The bill for "An act to apply a part of an appropriation, heretofore made to Clark county, to the improvement of the road from York to the county line of Clark," as amended by the House of Representatives, was read, and,

On motion of Mr. Ross,

Laid on the table.

The bill for "An act regulating tavern and grocery license," with the amendments of the House of Representatives thereto, was read.

Mr. Peck moved to amend the amendments of the House of Representatives, by adding the following section, viz:

"That the provisions of this bill shall not extend to the counties of Cook, McHenry, Du Page, or Lake;" which was not agreed to.

On the question—"Will the Senate concur with the amendments of the House of Representatives to said bill?"

It was decided in the negative.

The bill from the House of Representatives, entitled "An act to repeal an act, entitled 'An act to incorporate the town of Upper Alton,'" was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Churchill,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act to establish a State road from Joseph Huey's, in Clinton county, to the north-east corner of Fayette county," was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Blackwell,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

The bill, entitled "An act to establish the Marshall Female Seminary," was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hamlin,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

The bill from the House of Representatives, entitled "An act to provide for the location of the county seat of Cass county," was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on Petitions.

The bill from the House of Representatives, entitled "An act to establish a State road from Jameson's ferry, in Pope county, to Cape Girardeau," was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act to authorize George W. Brinkerhoof and others to establish a ferry across Rock river," was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act to declare Little Rock river navigable," was read, and,

On motion of Mr. Harrison,

Laid on the table,

The bill from the House of Representatives, entitled "An act to protect the Cumberland road, and prevent trespassers," was read, and
Ordered to a second reading.

On motion of Mr. Hackelton,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act concerning certain school funds in Wabash county," was read, and

Ordered to a second reading.

On motion of Mr. Hamlin,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled "An act authorizing the appointment of a commissioner of roads, to construct bridges and turnpikes," was read, and,

On motion of Mr. Hacker,

The further consideration thereof indefinitely postponed.

The bill from the House of Representatives, entitled "An act to repeal an act concerning the State road from Vienna to Equality," was read, and

Ordered to a second reading.

On motion of Mr. Gibbs,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Gibbs,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Thomas moved the indefinite postponement of said bill; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act for the relief of the clerks of the circuit courts of Sangamon, Clinton, Fayette, and Franklin counties," was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, said bill read the second and third time by its title.

On motion of Mr. Thomas,

The further consideration of said bill was indefinitely postponed.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Montebello Manufacturing Company," was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bills, entitled

"An act to vacate and relocate a part of the State road leading from White's ferry to the Drowning fork of Crooked creek;"

"An act in relation to the county of Macon;"

"An act to incorporate the Amity Academy, in Bond county, and the Lebanon Female Academy, in St. Clair county;"

"An act to amend an act, entitled 'An act to locate a State road from the Indiana line, northwest, in a direction to Mineral Point;'"

"An act to authorize the Governor to commission the sheriff of Schuyler county;"

"An act to incorporate the town of Bloomington;" and

"An act to authorize George W. Jones to establish a ferry from Jordan's ferry to Du Buque;" contained in the message of the House of Representatives,

Were severally taken up, and the amendments of the House of Representatives to said bills severally read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act extending the time to the Springfield and Alton Turnpike Road Company to complete said road," was read, and

Ordered to a second reading.

On motion of Mr. Churchill,

The rule of the Senate was dispensed with, said bill read the second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to authorize the sale of the saline lands in Bond county," was read, and

Ordered to a second reading.

On motion of Mr. Hunter,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to locate a State road from Belleville to Brownsville," was read, and

Ordered to a second reading.

On motion of Mr. Servant,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill, entitled "An act to amend an act to amend the several acts in relation to common schools," contained in the message of the House of Representatives, was taken up, and the amendments of the House of Representatives to said bill read.

On motion of Mr. Hacker,

Said bill and amendments were referred to the committee on the Judiciary.

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Ross moved to reconsider the vote, taken to-day, on ordering to a second reading a bill from the House of Representatives, entitled "An act to amend 'An act in relation to religious societies,'" which was agreed to, and said bill

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read the second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Ross moved to dispense with the rule, for the purpose of taking up a bill; which was not agreed to.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and the bill contained in the message from the House of Representatives, entitled "An act authorizing the county commissioners' court to construct certain roads in Greene county," was taken up;

And on the question—"Will the Senate recede from its amendment?" It was decided in the negative.

Whereupon,

Mr. Gatewood moved that a committee of conference be appointed on the disagreeing vote of the two Houses; which was agreed to.

Ordered, That Messrs. Gatewood, Witt, and Hacker, be the committee on the part of the Senate.

A bill for "An act to amend the several laws in relation to practice in courts of law," was taken up; and the amendments of the House of Representatives to said bill and title read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bills, entitled

"An act to authorize the county commissioners of the county of Winnebago to sell certain lots;" and

"An act in relation to the penitentiary," were taken up; and the amendments of the House of Representatives to said bills read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill, entitled "An act to amend the several laws in relation to appeal bonds and the trial of appeals," was taken up;

And on the question—"Will the Senate concur with the House of Representatives in the appointment of a committee of conference upon the disagreeing vote of the two Houses?"

It was decided in the affirmative.

Ordered, That Messrs. Thomas, Little, and Browning, be the committee on the part of the Senate.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles, viz:

"An act to incorporate the Warren County Male and Female Seminary;"

"An act to establish the Mississippi Ferry Company, at Savannah, and for other purposes;"

"An act to authorize St. Clair county to establish a ferry across the Mississippi river;"

"An act for the formation of the county of Stark, and for other purposes;"

"An act to amend an act, entitled 'An act to create the county of Bureau;"

"An act altering, in part, Archer's addition to Lockport;"

"An act to locate a State road from Bloomington to Livingston, in McLean county;"

"An act for the relief of John McMennaway, late sheriff of Macon county;"

"An act authorizing the sale of property in Hudsonville, and appropriating the avails thereof;"

"An act authorizing the sale of certain school lands in Vermilion county;"

"An act defining and regulating proceeding in the action of ejectment;"

"An act to incorporate the Shawneetown and New Haven Railroad Company;"

"An act to locate a State road from Charleston to James Keller's, on the Springfield trace;"

"An act to amend 'An act to incorporate the Wabash and Indiana Railroad Company;" and

"An act to incorporate the Mount Carmel Manufacturing Company."

The bill from the House of Representatives, entitled "An act concerning the sale of real estate of deceased persons by executors and administrators in settling estates," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to the committee on the Judiciary.

The bill from the House of Representatives, entitled "An act to define the bounds of Boone county," was taken up;

On the question—"Will the Senate adhere to their amendments to said bill?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The resolution from the House of Representatives, having for its object the adjournment of the two Houses on Monday morning, at 9 o'clock, A. M., was taken up, read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to amend an act, entitled 'An act in relation to garnishees,' approved February 12, 1839," was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Witt moved to refer the same to a select committee; which was not agreed to.

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Ross moved to reconsider the vote taken on ordering to a third reading a bill from the House of Representatives, entitled "An act for the benefit of the counties therein named;" which was agreed to.

Whereupon,

On motion of Mr. Warren,

The vote taken on the amendment to said bill was also reconsidered.

The question recurring on the adoption of the amendment to said bill,

It was decided in the affirmative.

Ordered to a third reading, as amended.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment to said bill.

Mr. Harrison, from the select committee to which was referred the bill from the House of Representatives, entitled "An act for the benefit of the counties therein named," reported the same back with an amendment.

On the question—"Shall the bill be read a third time?"

It was decided in the negative.

Those who voted in the affirmative, are,

Messrs. Allen, Borough, Browning, Davidson, Fletcher, Hacker, Harrison, Little, O'Rear, Thomas, Weatherford, and Witt—12.

Those who voted in the negative, are,

Messrs. Blackwell, Churchill, Fithian, Gaston, Greer, Hamlin, Hunter, Johnston, Mills, Mitchell, Moore, Murray, Ross, Warren, and Wood—15.

The bill from the House of Representatives, entitled "An act fixing the northern termination of the Central railroad," was read, and

Ordered to a second reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Harrison,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

The bill from the House of Representatives, entitled "An act to incorporate the Greene County Mutual Fire Insurance Company," was read, and

Ordered to a second reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Witt,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act for the relief of Ezekiel Lane, Matthew K. Martin, and David R. Martin," was read, and,

On motion of Mr. Thomas,

The further consideration thereof indefinitely postponed.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act for the relief of Henry county," was read, and

Ordered to a second reading.

On motion of Mr. Butler,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Butler,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act to incorporate the Tazewell County Commercial and Fire Insurance Company," was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Mitchell,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act to establish a State road from Salem to Pinckneyville," was read, and

Ordered to a second reading.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Wood,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Murphy:

Mr. Speaker: The House of Representatives have, at the request of the Senate, appointed a committee of conference on the disagreeing vote of the two Houses on the bill for "An act authorizing the county commissioners of Greene county to construct certain roads;" and have appointed Messrs. Allen of Greene, Thornton, and Marshall, the committee on their part.

And he withdrew.

Mr. Little, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Winslow Bridge Company," reported the same back without amendment.

Ordered to a third reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

The bill from the House of Representatives, entitled "An act to incorporate the Montebello Manufacturing Company," was read, and

Ordered to a second reading.

On motion of Mr. Little,

The rule of the Senate was dispensed with, said bill read a second and third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have concurred with them in the passage of the bill for "An act concerning the town of Naples."

And he withdrew.

Mr. Thomas moved to reconsider the vote taken on ordering to a third reading a bill from the House of Representatives, entitled "An act for the relief of the clerks of the circuit courts of Sangamon, Clinton, Fayette, and Franklin counties;" which was agreed to.

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Fletcher, Parrish, and Thomas, be that committee.

On motion,

The Senate adjourned.

SATURDAY, MARCH 2 1839.

Senate met pursuant to adjournment.

Mr. Hamlin, from the committee on Internal Improvements, to which were referred sundry bills, resolutions, petitions, &c., reported the same back, and asked to be discharged from a further consideration of the same.

On the question—"Will the Senate concur with the committee in their report?"

It was decided in the affirmative.

Mr. Hamlin, from the same committee, to which was referred a bill for "An act to improve the navigation of Big Muddy river," reported the same back without amendment.

On motion of Mr. Hacker,

Referred to the committee on Finance.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill for "An act in relation to free negroes," reported the same back without amendment.

On the question—"Shall the bill be engrossed and read a third time?"

It was decided in the negative.

Mr. Thomas, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act to regulate the mode of proceeding on the redemption of real estate sold under execution," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Gatewood, from the committee on School Lands and Education, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the seminaries of learning therein named," with the proposed amendment thereto, reported the same back without further amendment, and recommended the passage of said bill.

The question recurring on the adoption of the amendment,

It was decided in the affirmative.

Ordered to a third reading, as amended.

Mr. Ross moved that the protest of himself and others against the act, entitled "An act concerning the public revenue," be entered upon the journal of the Senate; which was agreed to; said protest read, and

Ordered to be entered upon the journal; and is as follows, to wit:

The undersigned, members of the Senate of the State of Illinois, in the exercise of the right secured to them by the Constitution of protesting against any act which they may think injurious to the public interest, and having the reasons of their dissent entered on the journals, do hereby protest against the passage of the act, entitled "An act concerning the public revenue," for the following reasons:

First. Because it imposes unreasonable and oppressive taxes upon the labor and industry of the citizens of the State.

Second. Because a tax upon land, without reference to improvements, might be raised sufficient for every ordinary purpose of revenue; and the tax fixed in the act, or a less amount, would afford sufficient revenue for county purposes.

Third. By the operation of the act, and the supplement thereto which has passed the Senate, a tax of seventy cents on every hundred dollars' worth of property may be levied and collected, which is a higher tax than is imposed in any other State in the Union.

Fourth. Because it is not the true policy of the State to impose more burdens upon the people than are absolutely necessary to meet the expenditures of the Government, regulated by a regard to strict economy.

Fifth. The accumulation of money in the treasury leads to extravagance and wastefulness in appropriations, and unnecessarily deprives the people of the use of means which they could employ in the improvement of their lands and for other useful purposes, more beneficial to themselves and the State than the employment of those means by the Legislature.

Sixth. The only ground upon which the raising so large a revenue can be justified is, that the money will be required to pay the interest upon loans for purposes of internal improvement; and this, being deried by those who favor the present system of internal improvement, ought not to have influenced the action of the General Assembly; but, if it be true that taxation is necessary to sustain that system, sound policy requires that the system should be reduced in its expenditures, and its extravagancies curtailed, so as to reduce taxation.

Seventh. The operation of the law will be to increase the taxes of citizens of the State and to decrease those of non-resident speculators.

Eighth. The act will be found oppressive and extremely expensive and inconvenient to citizens owning lands in several counties, as it requires them to pay taxes in every county where their lands are situated.

Ninth. The expenses of collecting the revenue will, by the operation of the act, amount to from four to seven thousand dollars per annum; which might have been avoided, by permitting the payment of taxes into the State treasury in a limited time; and such provision would make the revenue available earlier, and save all risk of defalcations by collecting officers.

W. ROSS,
R. B. SERVANT,
WILLIAM O'REAR,
JAMES B. MOORE,
WILLIAM WEATHERFORD.

Mr. Thomas, from the committee on the Judiciary, to which was referred the bill for "An act to amend an act, entitled 'An act concerning sheriffs and coroners,' approved February 12, 1837," reported the same back, and recommended its rejection.

On the question—"Shall the bill be read a third time?"

It was decided in the negative.

Mr. Thomas, from the committee on the Judiciary, to which was referred the bill for "An act in relation to the Clerk of the Supreme Court of the State of Illinois," reported the same back with an amendment; which was read and concurred in.

On the question—"Shall the bill be engrossed for a third reading?"

It was decided in the negative.

A message from the House of Representatives, by Mr. Stapp:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives do not concur in the report of the committee of conference on the disagreeing vote of the two Houses on the amendments of the Senate to the bill from the House, entitled "An act authorizing the county commissioners' court to construct certain roads in Greene county."

They have concurred in the report of the committee of conference on the disagreeing vote of the two Houses on the amendments of the House to the bill from the Senate, entitled "An act to amend the several laws in relation to appeal bonds and the trial of appeals."

And he withdrew.

A message from the House of Representatives, by Mr. Walker of Vermilion:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in their amendments to the bills from the House, entitled

"An act for the relief of John Winstanly and Hugh Duffy;"

"An act to incorporate the Kankakee Manufacturing Company;"

"An act to incorporate the town of Lacon, in Marshall county;"

"An act to incorporate the Wapello Manufacturing Company;" and

"An act to change the time of holding courts in the third judicial circuit in this State."

They have concurred with the Senate in the passage of bills, entitled "An act fixing the time of holding the Supreme Court, and the circuit courts in the first, sixth, seventh, eighth and ninth circuits;" and

"An act to authorize the resurvey of the town of Peru, in Lasalle county."

And he withdrew.

A message from the House of Representatives, by Mr. Hall, their Assistant Clerk:

Mr. Speaker: The House have concurred with the Senate in the passage of bills, entitled

"An act to incorporate the Fulton Turnpike Road Company;" and

"An act to incorporate the Rock Island Mutual Fire Insurance Company"

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act to incorporate the town of Hennepin;"

"An act to establish a State road in Alexander county;"

"An act declaring a certain road, in McLean county, a State road;"

"An act for the benefit of Jefferson county;"

"An act to define the term of office of the Commissioners of Public Works;"

"An act authorizing the improvement of the Big Muddy river;"

"An act to incorporate the Illinois Insurance Company;"

"An act concerning certain school funds in Wabash county;"

"An act to incorporate the Bainbridge Academy, in Franklin county;"

"An act for the relief of John Winstanly and Hugh Duffy;"

"An act to incorporate the Genesee Manual Labor High School;"

"An act authorizing the county commissioners' court of Madison county to levy and collect a special tax;"

"An act in relation to the county of Madison;"

"An act authorizing a survey therein named;"

"An act to authorize the Governor to commission the sheriff of Schuyler county;" and

"An act concerning the town of Moscow, in Wayne county."

Mr. Hackelton, from the same committee, reported that the above mentioned bills were, on this day, laid before the Council of Revision.

The committee on School Lands and Education, to which was referred a bill for "An act to amend an act, entitled 'An act to amend the several acts in relation to common schools,'" together with the amendment of the House of Representatives to said bill, reported the same back without further amendment.

On the question—"Will the Senate concur with the House of Representatives in their amendment to said bill?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Hacker, from the committee on Finance, to which was referred a bill for "An act to improve the navigation of Big Muddy river," reported the same back with an amendment; which was read.

Mr. Thomas moved that the bill and proposed amendment be postponed indefinitely; which was decided in the affirmative.

Mr. Little, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Aux Plaines Steam Mill Company," reported the same back without amendment.

Mr. Browning moved to lay said bill on the table until the fourth day of July next; which was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Browning, from the same committee, to which was referred a bill from the House of Representatives, entitled "An act to incorporate the Vandalia and Mississippi Turnpike Company," reported the same back with sundry amendments to said bill.

Mr. Little moved to amend the proposed amendments to said bill, by striking out "twenty-five," and inserting "twenty," so as to make it read, "twenty years;" which was decided in the affirmative.

And the proposed amendments of the committee, as amended, were then agreed to.

Ordered to a third reading, as amended.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendments to said bill.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act to locate and establish a State road in the counties of Kane and De Kalb;"

"An act to relocate the seat of justice of the county of De Kalb;"

"An act to locate a State road from Nashville to Belleville;"

"An act extending the time to the Springfield and Alton Turnpike Road Company to complete said road;"

"An act to establish a State road therein named;"

"An act to define the bounds of Boone county;"

"An act to vacate certain alleys in the town of Winnebago;"

"An act to repeal an act, entitled 'An act to incorporate the town of Upper Alton;'"

"An act for the relief of Henry county;"

"An act to locate a State road in McLean and Tazewell counties;" and Joint resolutions in relation to the easterly division of the Peoria and Warsaw railroad.

Mr. Hackelton, from the same committee, reported that the above mentioned bills were laid before the Council of Revision.

Mr. Little, from the committee of conference appointed on the disagreeing vote of the two Houses upon the amendments of the House to the bill from the Senate, for "An act to amend the several laws in relation to appeal bonds and the trial of appeals," reported that they have had the same under consideration, and agreed that the House recede from its amendments to said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have concurred with them in the passage of bills, entitled

"An act supplemental to the act incorporating the Beardstown and Sangamon Canal Company;"

"An act for the relief purchasers of canal lots and lands, and for other purposes;" and

"An act to provide for the settlements with the representatives of deceased contractors upon public works;" as respectively amended by them.

They have amended the title of the last named bill, by adding the words, "and for other purposes."

In which amendments to said bills and titles they ask the concurrence of the Senate.

They have concurred in the amendments of the Senate to the bill from the House, entitled "An act to amend an act, entitled 'An act to incorporate the city of Alton.'" And he withdrew.

Mr. Thomas, from the committee on the Judiciary, to which was referred the bill for "An act concerning the sale of real estate of deceased persons by executors and administrators in settling estates," reported the same back with amendments; which were read and concurred in.

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments of the Senate thereto.

Mr. Little, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Vandalia and Alton Turnpike Road Company," reported the same back without amendment.

Ordered to a third reading.

On motion of Mr. Little,

The question was put—"Shall the bill be read a third time by its title?" And decided in the negative.

Those who voted in the affirmative, are,

Messrs. Blackwell, Borough, Butler, Churchill, Fletcher, Hacker, Little, Moore, Peck, Richardson, Ross, Servant, Stadden, Thomas, Weatherford, and Wood—16.

Those who voted in the negative, are,

Messrs. Allen, Browning, Davidson, Fithian, Gaston, Gatewood, Greer, Hamlin, Hunter, Johnston, Mitchell, Monroe, Murray, O'Rear, Parrish, Warren, and Witt—17.

Mr. Browning, from the committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled "An act to incorporate the Chicago and Danville Railroad Company," reported the same back with amendments; which were read and concurred in.

On motion of Mr. Browning,

Said bill was laid on the table until the fourth day of July next.

Mr. Hacker moved to reconsider the vote on the bill from the House of Representatives, entitled "An act to incorporate the Vandalia and Alton Turnpike Road Company;" which was agreed to, and said bill

Ordered to a third reading.

On motion of Mr. Hacker,

The rule of the Senate was further dispensed with, and said bill read a third time by its title.

On the question being put—"Shall the bill pass?"

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Butler, Churchill, Fletcher, Gatewood, Hacker, Hamlin, Hunter, Little, Mills, Moore, O'Rear, Peck, Richardson, Ross, Servant, Stadden, Thomas, Weatherford, and Witt—23.

Those who voted in the negative, are,

Messrs. Davidson, Fithian, Gaston, Harrison, Mitchell, Warren, and Wood—7.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

Mr. Browning, from the committee on School Lands and Education, to which was referred the bill from the House of Representatives, entitled "An act to distribute the school funds of the several counties in this State," reported the same back without amendment.

Mr. Hacker moved that the bill be laid upon the table until the fourth day of July, 1840; which was agreed to.

Those who voted in the affirmative, are,

Messrs. Allen, Browning, Butler, Churchill, Davidson, Fletcher, Gatewood, Hacker, Hamlin, Harrison, Little, Mitchell, Moore, O'Rear, Peck, Stadden, and Thomas—17.

Those who voted in the negative, are,

Messrs. Blackwell, Borough, Fithian, Gaston, Hunter, Johnston, Mills, Ross, Servant, Warren, Weatherford, Witt, and Wood—13.

Mr. Browning, from the committee on the Judiciary, to which was referred the bill for "An act to repeal 'An act to provide for the election of probate justices of the peace,'" reported said bill back, and moved to lay the same upon the table; which was agreed to.

Mr. Browning, from the committee on the Judiciary, to which was referred the bill for "An act to provide for an equitable payment of interest on the school funds," reported said bill back without amendment.

Ordered to be engrossed for a third reading.

On motion of Mr. Witt,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Parrish, from the select committee to which was referred a bill from the House of Representatives, entitled "An act for the relief of the clerks of the circuit courts of Sangamon, Clinton, Fayette, and Franklin counties," reported the same back with an amendment; which was read and concurred in.

Ordered to a third reading.

On motion of Mr. Parrish,

The rule of the Senate was dispensed with, said bill read a third time by its title, as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Servant moved that the rule of the Senate be dispensed with, for the purpose of taking up a certain bill; which was not agreed to.

A message from the Governor, by Mr. McLean:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Thomas, from the committee on the Judiciary, to which was referred a bill for "An act in relation to justices of the peace," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed and read a third time.

Mr. Thomas moved to dispense with the rule of the Senate, and that the bill be now read a third time; which was not agreed to.

On motion of Mr. Servant,

The bill some days since laid on the table, entitled "An act to regulate the compensation of sheriffs for conveying convicts to the penitentiary," was taken up.

On the question—"Shall the bill pass?"

It was decided in the affirmative.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the passage of said bill.

The bill from the House of Representatives, entitled "An act authorizing the county commissioners' court to construct certain roads in Greene county, and for other purposes," as amended by the Senate, was taken up.

On the question—"Will the Senate adhere to their amendments to said bill?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Stapp:

Mr. Speaker: I am directed to inform the Senate that the House do not concur in the amendment of the Senate to the bill from the House, entitled "An act for the benefit of the counties therein named."

And he withdrew.

On motion of Mr. Weatherford,

The bill, contained in the message last received, entitled "An act for the benefit of the counties therein named," was taken up.

On the question—"Will the Senate adhere to their amendments to said bill?"

It was decided in the affirmative.

Mr. Weatherford moved that a committee of conference be appointed on the disagreeing vote of the two Houses; which was agreed to.

Ordered, That Messrs. Weatherford, Harrison, and Ross, be that committee.

On motion of Mr. Hacker,

The resolutions from the House of Representatives, proposing that the State of Illinois purchase, of the Government of the United States, all the lands not sold or otherwise disposed of within the limits of said State, which were sometime since laid on the table by motion, were taken up, read, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Peck, from the committee on Finance, to which was referred the bill for "An act to change the corporate powers of the city of Chicago," reported the same back with an amendment; which was read and concurred in.

Ordered to be engrossed as amended, and read a third time.

On motion of Mr. Peck,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

On motion of Mr. Peck,

Said title was amended, by making it read, "An act to authorize the reprinting of certain laws of this State."

Ordered, That the title be as amended, that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

Mr. Browning, from the minority of the joint select committee appointed to investigate certain charges preferred against the various Commissioners of Public Works, made a report; which was read, and,

On motion of Mr. Ross,

Laid on the table.

On motion,

The Senate adjourned until 2 o'clock, P. M.

TWO O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Gatewood, from the select committee to which was referred a bill for "An act relating to free schools," reported the same back with an amendment; which was read, and decided by the Speaker to be out of order.

Whereupon,

Mr. Gatewood appealed from the decision of the Chair;

And on the question—"Shall the decision of the Chair stand as the judgment of the Senate?"

It was decided in the affirmative.

On motion of Mr. Fithian,

Leave of absence was granted to Mr. Mills during the remainder of the session.

Mr. Speaker announced that the message last received from the Governor, was upon executive business.

Whereupon, the doors were closed;

And upon the opening of the doors,

The bills, entitled

"An act authorizing the settlement of the accounts of James Turney, late Attorney General;" and

"An act to incorporate the Marshall Academy;" as amended by the Senate, were severally taken up.

On the question—"Will the Senate adhere to the amendments to said bills?"

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

The message from the House of Representatives, containing a resolution authorizing the Secretary to amend a certain bill, was taken up; and

Mr. Thomas moved to lay it on the table; which was not agreed to.

The resolution was read and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act supplemental to an act, entitled 'An act to provide for certain improvements in Pike county,'" was read, and

Ordered to a second reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Ross, Hamlin, and Gatewood, be that committee.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act fixing the time of holding the Supreme Court and the circuit courts in the first, sixth, seventh, eighth, and ninth circuits;"

"An act to relocate the county seat of Winnebago county;"

"An act to incorporate the town of Bloomington;" and

"An act to incorporate the Rock Island Mutual Fire Insurance Company."

Mr. Hackelton, from the same committee, reported that the above mentioned bills were, on this day, laid before the Council of Revision.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the Senate's amendments to the bills from the House, entitled "An act authorizing the administrators of Henry M. Shaw, deceased, to execute deeds in certain cases, and changing the name of the town of Florence, in White county;"

"An act to provide for the probate of wills in certain cases;"

"An act to incorporate the town of Shelbyville;"

"An act to authorize Joshua Vandruff to establish a ferry across Rock river, at Vandruff's island;" and

"An act to incorporate the Vandalia and Mississippi Turnpike Company."

The House have also concurred with the Senate in their amendment to the title of the bill from the House, entitled "An act to incorporate the Franklin Institute."

And then he withdrew.

A message from the Council of Revision, by Mr. McLean, their Secretary:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act to incorporate the Shawneetown and New Haven Railroad Company;"

"An act to amend an act to incorporate the Wabash and Indiana Railroad Company;"

"An act to locate a State road from Charleston to James Keller's, on the Springfield trace;"

"An act to authorize the Governor to commission the sheriff of Schuyler county;"

"An act authorizing a survey therein named;" and

"An act in relation to the county of Macon."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles, viz:

"An act to provide for the relocation of a State road therein named;"

"An act to quiet possessions and confirm titles to lands;"

"An act to incorporate the Greene County Mutual Fire Insurance Company;"

"An act to repeal 'An act concerning the State road from Vienna to Equality;'"

"An act to authorize the sale of the saline lands in Bond county;"

"An act to establish a State road from Joseph Huey's, in Clinton county, to the northeast corner of Fayette county;"

"An act to amend 'An act in relation to religious societies;'"

"An act to amend an act, entitled 'An act in relation to garnishees,' approved Feb. 12, 1839;"

"An act to protect the Cumberland road and prevent trespasses;"

"An act to incorporate the Centre Bridge Company at Ottawa;"

"An act for the relief of Andrew Cochran;"

"An act to locate a State road from the dividing line between the counties of Vermilion and Iroquois, at the point where the Butterfield trace crosses said line;" and

"An act to locate and establish, and alter, change, and relocate State roads."

Mr. Hackelton, from the same committee, reported that the bills above mentioned were laid before the Council of Revision on this day.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in their amendment to the resolution from the House requesting the Governor to obtain certain portraits.

They have also concurred in the Senate's amendment to the bill from the House of Representatives, entitled "An act concerning the sale of real estate of deceased persons by executors and administrators in settling estates."

They have concurred with the Senate in the passage of bills, entitled "An act to amend the act concerning marriages;"

"An act further supplementary to the act in relation to internal improvements;"

"An act for the relief of Wm. Hick and Timothy Guard;"

"An act for a State road from Shelbyville, in Shelby county, to Hillsboro, in Montgomery county;"

"An act to regulate the compensation of sheriffs for conveying convicts to the penitentiary;"

"An act describing the mode of expending part of the money arising from the sale of saline land which was appropriated to Marion county;" and

"An act to provide for the increase of facilities in procuring laborers on the public works."

And he withdrew.

Mr. Wood, from the committee on Petitions, to which was referred the bill from the House of Representatives, entitled "An act to provide for

the location of the county seat of Cass county," reported the same back without amendment.

Ordered to a third reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that the House of Representatives have concurred with them in the passage of the bills, entitled

"An act relating to the duties of county commissioners;" and

"An act in relation to the town of Charleston, and other purposes," as amended by them.

And they have amended the title of the last named bill by striking out "and other purposes."

In which amendments to the said several bills, and to the title of the latter, they ask the concurrence of the senate.

They have laid on the table, until the 4th day of July, the bill for "An act concerning the town of Vandalia."

They have appointed Messrs. Craig, Hardin, and Smith of Wabash, a committee of conference on the disagreeing vote of the two Houses upon the bill from the House of Representatives for "An act for the benefit of the counties therein named," as requested by the Senate.

And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed to inform the Senate that the House refuse to concur in the Senate's amendment to the amendment of the House to a bill from the Senate, entitled "An act authorizing the settlement of the accounts of James Turney, late Attorney General."

They have concurred with the Senate in the passage of the bill, entitled "An act to incorporate the Jo Daviess Mining and Smelting Company," as amended by them.

In which amendment they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bill, entitled "An act defining the duties of the public binder or binders."

They have refused to concur in the amendment of the Senate to the bill from the House for "An act to incorporate the Marshall Academy."

They ask for the appointment of a committee of conference on the disagreeing vote of the two Houses on the bill for "An act to amend the acts in relation to constables;" and have appointed Messrs. Dawson, Hardin, and Henderson, a committee on their part.

And he withdrew.

A message from the House of Representatives, by Mr. Hall, their Assistant Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed the following resolution:

Resolved by the House of Representatives, the Senate concurring herein, That the Secretary of State is hereby authorized to strike out the words "fifty-fifth," and insert the words "forty-fifth," in the 12th section of "An act to incorporate the Des Moines Rapids Railroad Company," approved February 19, 1839;" the words "fifty-fifth" being a clerical mistake.

In the adoption of which they ask the concurrence of the Senate.

And he withdrew.

A message from the House of Representatives, by Mr. Murphy of Vermilion:

Mr. Speaker: I am directed to inform the Senate that the House of Representatives have adopted a preamble and joint resolution in relation to the proposed connection of certain canals of Indiana and Illinois.

In the adoption of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bill, entitled "An act to improve the navigation of Spoon river," as amended by them. In which amendment they ask the concurrence of the Senate.

And he withdrew.

The bill from the House of Representatives, entitled "An act to amend the acts in relation to constables," together with the message of the House of Representatives in relation thereto," was taken up, and said message read; and,

On motion of Mr. Thomas,

The said bill and message were laid upon the table.

A message from the House of Representatives, by Mr. Cloud:

Mr. Speaker: The House of Representatives have passed a bill, entitled "An act concerning the school funds in township 13 north, of range 8 west."

In the passage of which they ask the concurrence of the Senate.

And he withdrew.

The bill for "An act to incorporate the Jo Daviess Mining and Smelting Company," with the amendments of the House of Representatives, was taken up; said amendments read and concurred in.

The bill from the House of Representatives, entitled "An act for the improvement of the Little Wabash river, and for other purposes," was read, and

Ordered to a second reading.

On motion of Mr. Blackwell,

The rule of the Senate was dispensed with, and said bill read a second time by its title.

Mr. Davidson moved to amend said bill, in the 1st section, 7th line, after the word "county," by inserting:

"*Provided*, The Board of Public Works shall deem it susceptible of advantageous improvement;" which was agreed to.

Ordered to a third reading, as amended.

On motion of Mr. Davidson,

The rule of the Senate was dispensed with, said bill read a third time, and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask the concurrence of the House of Representatives in the amendments to said bill.

Mr. Gatewood, from the select committee to which was referred the

bill from the House of Representatives, entitled "An act for the relief of Joseph L. Reynolds," reported the same back without amendment, and recommended the passage of said bill.

Ordered to a third reading,

Mr. Little moved the indefinite postponement of said bill; which was not agreed to.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Ross, from the select committee to which was referred a bill from the House of Representatives, entitled "An act supplemental to an act, entitled 'An act to provide for certain improvements in Pike county,'" reported the same back without amendment.

Ordered to a third reading.

On motion of Mr. Ross,

The rule of the Senate was dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

"The bill for 'An act for the relief of purchasers of canal lots and lands and for other purposes,'" with the amendments of the House of Representatives thereto, was taken up; said amendments read and concurred in.

The bill from the House of Representatives, entitled "An act for the relief of Joseph L. Reynolds," was read, and,

On motion of Mr. Gatewood,

Referred to a select committee.

Ordered, That Messrs. Gatewood, Johnston, and Parrish, be that committee.

The bill from the House of Representatives, entitled "An act to authorize Hardin Porter and Elijah Gholson to build a mill-dam, and for other purposes," was read, and

Ordered to a second reading.

On motion of Mr. Johnston,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Johnston,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill from the House of Representatives, entitled "An act supplemental to an act, entitled 'An act to extend the corporate powers of the town of Peoria,' approved February 21, 1837," was taken up, and,

On motion of Mr. Thomas,

Laid on the table.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill for "An act regulating tavern and grocery license," was taken

up, together with the message of the House of Representatives thereto, said message read, and,

On the the question—"Will the Senate recede from its admendment to the 6th section of said bill?"

It was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill for "An act to provide for settlements with the representatives of deceased contractors upon public works, and for other purposes," with the anendments of the House of Representatives thereto, and the amendments of the House to the title thereof, was taken up, and said amendments read and concurred in.

The bill for "An act to define the duties of investigating committees;" was read; and,

On motion of Mr. Weatherford,

The said bill was read a second time by its title, and,

On motion of Mr. Gatewood,

The further consideration thereof indefinitely postponed.

The bill for "An act supplemental to the act incorporating the Beardstown and Sangamon Canal Company," together with the amendments of the House of Representatives thereto, was taken up, said amendments read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill for "An act in relation to the town of Charleston," with the amendment by the House of Representatives of the title thereof, was taken up, said amendment read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives for "An act relating to the duties of county commissioners," together with the amendment of the House thereto, was taken up, and said amendment read.

On the question—"Will the Senate concur with the House of Representatives in their amendment?"

It was decided in the negative.

The bill for "An act concerning the school fund in township 13 north, of range 8 west," was read, and

Ordered to a second reading.

On motion of Mr. Weatherford,

The said bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Weatherford,

The rule of the Senate was further dispensed with, said bill read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill.

The bill for "An act to improve the navigation of Spoon river," with the amendments of the House of Representatives thereto, was taken up, said amendments read, and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill for "An act to incorporate the seminaries of learning therein named," was taken up, and

Ordered to a third reading.

On motion of Mr. Harrison,

The rule of the Senate was dispensed with, said bill read a third time, as amended, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments of the Senate thereto.

A message from the Governor, by Mr. McLean:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Speaker announced that the communication just received from the Governor was upon executive business.

Whereupon the doors were closed;

And on the opening of the doors,

The message from the House of Representatives containing the joint resolutions in relation to the proposed connection of certain canals of Indiana and Illinois, was taken up, read and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

On motion,

The Senate adjourned until 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred with the Senate in the passage of a bill, entitled "An act to authorize the reprinting of certain laws of this State," as amended by them.

In which amendment to said bill they ask the concurrence of the Senate.

They have concurred with the Senate in their amendment to the bill from the House, entitled "An act for the relief of the clerks of the circuit courts of Sangamon, Clinton, Fayette, and Franklin counties."

They have also concurred with the Senate in the passage of bills, entitled

"An act to amend an act, entitled 'An act establishing and regulating the inspection of tobacco in this State,' approved January 12, 1829;"

"An act to incorporate the Golconda Seminary;" and

"An act concerning public roads in Schuyler county."

They have laid on the table, until the 4th day of July next, the bill from the Senate, entitled "An act to provide for an equitable payment of interest on the school funds."

They have concurred in the report of the committee of conference on the disagreeing vote of the two Houses on the amendment of the Senate to the bill from the House, entitled "An act for the benefit of counties therein named."

And he withdrew.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: I am directed by the House of Representatives to inform the Senate that they have passed the following resolution:

Whereas, in the act passed creating the county of "Lee" from the county of "Ogle," at the present session of the Legislature, N. Nichols, of Whiteside county, is named as one of the commissioners to locate the seat of justice of said county, when it should have been E. H. Nichols: Therefore,

Resolved by this General Assembly, That the Secretary of State be, and he is hereby, authorized to substitute E. H. Nichols, instead of N. Nichols, in the enrolled bill in his office.

In the passage of which they ask the concurrence of the Senate.

They have passed a bill of the following title, viz: "An act to establish a company for manufactures."

In the passage of which they ask the concurrence of the Senate.

And he withdrew.

Whereupon, said resolution was read, and adopted.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Prickett, their Clerk:

Mr. Speaker: The House of Representatives have concurred in the amendments of the Senate to the bills from the House, entitled

"An act to incorporate the seminaries of learning, therein named;" and

"An act for the improvement of the Little Wabash river, and for other purposes."

They have receded from their amendment to the bill from the Senate for "An act relating to the duties of Canal Commissioners."

And he withdrew.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles:

"An act regulating evidence in certain cases;"

"An act to incorporate the Vandalia and Alton Turnpike Road Company;"

"An act to incorporate the town of Lacon, in Marshall county;"

"An act concerning the sale of real estate of deceased persons by executors and administrators in settling estates;" and

"An act for the relief of purchasers of canal lots and lands, and for other purposes."

Mr. Hackelton, from the same committee, reported that the above mentioned bills were on this day laid before the Council of Revision.

Mr. Hackelton, from the committee on Enrolled Bills, reported, as correctly enrolled, bills of the following titles, viz:

"An act to establish a State road from Jameson's ferry, in Pope county, to Cape Girardeau;"

"An act to incorporate the Vandalia and Mississippi Turnpike Company;"

"An act authorizing the county commissioners' court to construct certain roads in Greene county;"

"An act to amend an act, entitled 'An act to encourage the killing of wolves,' approved February 15, 1837;"

"An act to incorporate the Franklin Academy;"

"An act to incorporate the town of Shelbyville;"

"An act to provide for the probate of wills in certain cases;"

"An act for the benefit of the counties therein named;"

"An act to establish a State road from Salem to Pinckneyville;"

"An act to provide for the location of the county seat of Cass county;"

"An act to incorporate the Marshall Academy;"

"An act to incorporate the Tazewell County Commercial and Fire Insurance Company;"

"An act fixing the northern termination of the Central railroad;"

"An act to incorporate the Winslow Bridge Company;"

"An act to fix the time of holding courts in the several counties composing the fifth judicial circuit;"

"An act to locate a State road from Belleville to Brownsville;"

"An act to incorporate the Wapello Manufacturing Company;" and

"An act incorporate the Montebello Manufacturing Company;"

Mr. Hackelton, from the same committee, reported that the above mentioned bills were, on this day, laid before the Council of Revision.

The bill for "An act to authorize the reprinting of certain laws of this State," with the amendments of the House of Representatives thereto, was taken up, said amendments read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled "An act to establish a company for manufactures," was read, and

Ordered to a second reading.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, said bill read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Browning,

The rule of the Senate was further dispensed with, and said bill read a third time by its title, and passed

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof.

A message from the Governor, by A. P. Field, Secretary of State:

Mr. Speaker: I am directed by the Governor to lay before the Senate a communication in writing. And he withdrew.

Mr. Speaker announced that the communication from the Governor was on executive business.

Whereupon the doors were closed;

And on opening the doors;

On motion of Mr. Ross,

The Senate took a recess for fifteen minutes.

Senate met.

Mr. Speaker announced executive business.

Whereupon the doors were closed;

And on the opening of the doors,

On motion of Mr. Weatherford,

The Senate took a recess for fifteen minutes.

Senate met.

Mr. Hackelton, from the committee on Enrolled Bills, reported that bills of the following titles were correctly enrolled, viz:

"An act to improve the navigation of Spoon river ;"

"An act in relation to the town of Charleston ;"

"An act to incorporate the Jo Daviess Mining and Smelting Company ;"

"An act changing the name of the town of Florence, in White county ;"

"An act concerning the school fund in township thirteen north, range eight west ;"

"An act to amend an act, entitled 'An act to locate a State road from the Indiana line, northwest, in a direction to Mineral Point ;'"

"An act to amend the several laws in relation to practice in courts of law, and for the benefit of A. McPhail and T. C. Kirkman ;"

"An act to provide for an increase of facilities in procuring laborers on the public works ;"

"An act to incorporate the Menard Bridge Company ;"

"An act to amend the several laws in relation to appeal bonds and the trial of appeals ;"

"An act to authorize the reprinting of certain laws of this State ;"

"An act concerning public roads in Schuyler county ;"

"An act to incorporate the Amity Academy, in Bond county, and the Lebanon Female Academy, in St. Clair county ;"

"An act to change the time of holding courts in the third judicial circuit in this State ;"

"An act for the relief of William Hick and Timothy Guard ;"

"An act to incorporate the Fulton Turnpike Road Company ;"

"An act to incorporate the Golconda Seminary ;"

"An act to provide for settlements with the representatives of deceased contractors upon public works, and for other purposes ;"

"An act regulating tavern and grocery license ;"

"An act describing the mode of expending a part of the money arising from the sale of saline land which was appropriated to Marion county ;"

"An act to regulate the compensation of sheriffs for carrying convicts to the penitentiary ;"

"An act further supplementary to the act in relation to internal improvements ;"

"An act authorizing the settlement of the accounts of James Turney, late Attorney General, and for establishing two additional Branches of the Bank of Illinois ;"

"An act to authorize George W. Jones to establish a ferry from Jordan's ferry to Du Buque ;"

"An act to authorize the resurvey of the town of Peru, in La Salle county ;"

"An act to amend the act concerning marriages ;"

"An act for a State road from Shelbyville, in Shelby county, to Hillsboro, in Montgomery county ;"

"An act to amend an act, entitled 'An act establishing and regulating the inspection of tobacco in this State, approved January 12, 1829;'"

"An act to incorporate the seminaries of learning therein named;" and

"An act in relation to the penitentiary."

A message from the Council of Revision, by Mr. Mr. Peck :

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act concerning the town of Naples;"

"An act to relocate the county seat of Winnebago county;"

"An act concerning the town of Moscow, in Wayne county;"

"An act to incorporate the town of Bloomington;"

"An act fixing the time of holding the Supreme Court and the circuit courts in the first, sixth, seventh, eighth and ninth circuits;" and

"An act to incorporate the Rock Island Mutual Fire Insurance Company."

And he withdrew.

On motion,

The Senate adjourned until Monday morning, at 8 o'clock, A. M.

MONDAY, MARCH 4, 1839.

EIGHT O'CLOCK, A. M.

Senate met pursuant to adjournment.

Mr. Speaker laid before the Senate the following communication from the Hon. William Thomas, viz :

VANDALIA, ILLINOIS,

March 4, 1839.

To the SPEAKER of the Senate:

I hereby resign my office of Senator from the counties of Morgan and Cass.

Very respectfully,

Your obedient servant,

WM. THOMAS.

Which was read, and,

On motion of Mr. Ross,

Laid on the table.

On motion of Mr. Servant,

Resolved, unanimously, That the thanks of the Senate be presented to the Speaker, and Speaker pro tem., for their able, impartial, and dignified conduct while presiding over the deliberations of the Senate during the present session.

A message from the Council of Revision, by Mr. Hackelton:

Mr. Speaker: The Council of Revision have approved acts of the following titles, viz:

"An act defining and regulating proceeding in the action of ejectment;"

"An act to incorporate the Jo Daviess Mining and Smelting Company;"

"An act for the relief of purchasers of canal lots and lands, and for other purposes;"

"An act to provide for settlements with the representatives of deceased contractors upon public works, and for other purposes;"

"An act supplemental to the act incorporating the Beardstown and Sangamon Canal Company;"

"An act to authorize George W. Jones to establish a ferry from Jordan's ferry to Du Buque;"

"An act authorizing the settlement of the accounts of James Turney, late Attorney General, and for establishing two additional Branches of the Bank of Illinois;"

"An act to authorize the reprinting of certain laws of this State;"

"An act to amend an act, entitled 'An act to locate a State road from the Indiana line, northwest, in a direction to Mineral Point;"

"An act to incorporate the town of Rushville;"

"An act to incorporate the Fulton Turnpike Road Company;"

"An act concerning public roads in Schuyler county;"

"An act to incorporate the Amity Academy in Bond county, and the Lebanon Female Academy in St. Clair county;"

"An act to amend the several laws in relation to appeal bonds and the trial of appeals;"

"An act to authorize the resurvey of the town of Peru, in La Salle county;"

"An act describing the mode of expending a part of the money arising from the sale of saline land which was appropriated to Marion county;"

"An act to amend the act concerning marriages;"

"An act to amend an act, entitled 'An act establishing and regulating the inspection of tobacco in this State,' approved Jan. 12, 1829;"

"An act to regulate the compensation of sheriffs for conveying convicts to the penitentiary;"

"An act to regulate tavern and grocery license;"

"An act for a State road from Shelbyville, in Shelby county, to Hillsborough, in Montgomery county;"

"An act to incorporate the Golconda Seminary;"

"An act in relation to the town of Charleston;"

"An act to provide for an increase of facilities in procuring laborers on the public works;"

"An act to amend the several laws in relation to practice in courts of law, and for the benefit of A. McPhail, and T. C. Kirkman;"

"An act for the relief William Hick and Timothy Guard;"

"An act relating to the duties of county commissioners;"

"An act in relation to the penitentiary;" and

"An act to improve the navigation of Spoon river."

And he withdrew.

The Hon. Speaker rose and addressed the Senate as follows:

GENTLEMEN: By a resolution, adopted by the Senate and House of Representatives, this day, at 9 o'clock A. M., has been fixed for the adjournment of the two Houses without day. That period having arrived, it now only remains for me to pronounce the Senate adjourned *sine die*.

BENJAMIN BOND,

Secretary of the Senate.

SECRET JOURNAL OF THE SENATE.

SATURDAY, DECEMBER 15, 1838.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, December 15, 1838.

To the Senate of Illinois:

I nominate Alexander Clark, sen., to be public administrator for the county of Wayne; and Henry H. Sheppard to be notary public for the county of Lawrence.

THOMAS CARLIN.

Which was read; and,

On motion of Mr. Hacker,

That the Senate do now advise and consent to said nominations,
It was decided in the affirmative.

TUESDAY, DECEMBER 18, 1838.

To the Senate of Illinois:

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, December 15, 1838.

I nominate George F. Mackley to be notary public for the county of McLean.

THOMAS CARLIN.

Which was read; and,

On motion of Mr. Allen,

Laid on the table.

WEDNESDAY, DECEMBER 19, 1838.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, December 18, 1838.

To the Senate of Illinois:

I nominate Eli Scherer to be public administrator for the county of Montgomery.

THOMAS CARLIN.

Which was read; and,

On motion of Mr. Hunter,

That the Senate do now advise and consent to the nomination,

It was decided in the affirmative.

WEDNESDAY, DECEMBER 26, 1838.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, December 26, 1838.

To the Senate of Illinois:

I nominate Peter Payne to be public administrator, and Joseph Briggs to be notary public, for the county of Boone.

THOMAS CARLIN.

Which was read; and,

On motion of Mr. Harrison,

That the Senate do now [not*] advise and consent to the nominations above,

It was decided in the affirmative.

On motion of Mr. Stadden,

The nomination was then taken up; and,

On motion of Mr. Stadden,

That the Senate do now advise and consent to said nomination,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Borough, Butler, Hacker, Hackelton, Herndon, Hunter, Johnston, Mitchell, Peck, Richardson, Stadden, Turney, Warren, Weatherford, Witt, and Wood—16.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Moore, Murray, Servant, and Thomas—15.

[* There is some error here in the original copy of the Journal, which the printer is unable to correct.—PUBLIC PRINTER.]

THURSDAY, JANUARY 3, 1839.

Mr. Speaker laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, January 2, 1839.

To the Senate of Illinois:

I nominate Abraham Clarke to be public administrator for the county of Monroe.

THOMAS CARLIN.

Which was read; and,

On motion of Mr. Moore,

That the Senate do now advise and consent to the above nomination,
It was decided in the affirmative.

THURSDAY, JANUARY 10, 1839.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, January 9, 1839.

To the Senate of Illinois:

I nominate John A. McClernand to be Secretary of State.

THOMAS CARLIN.

Which was read.

Mr. Hacker moved that said nomination be acted upon with open doors.

Mr. Gatewood moved to amend the motion of Mr. Hacker, by substituting the following, viz:

“Resolved, That all questions of constitutional law involved in the present nomination be discussed with open doors; but that when the final vote is taken on the nomination, it shall be taken, according to the ancient usage, in secret session;” which was decided in the negative.

The question then recurring on Mr. Hacker's motion,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Borough, Gaston, Gibbs, Hacker, Hackelton, Herndon, Hunter, Johnston, Little, Mitchell, Monroe, Nunnally, Parrish, Peck, Richardson, Stadden, Turney, Weatherford, Witt, and Wood—20.

Those who voted in the negative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Ethian, Fletcher, Gaston, Greer, Hamlin, Harrison, Mills, Moore, Murray, O'Rear, Ross, Servant, Thomas, and Warren—20.

There being a tie, Mr. Speaker voted in the affirmative.

SECRET JOURNAL OF THE SENATE.

THURSDAY, JANUARY 24, 1839.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, January 22, 1839.

To the Senate of Illinois:

I nominate Matthias S. Link to be notary public for the county of Greene; Lyman Adams to be notary public for the county of St. Clair; Eli Barnes to be notary public; and Isaac A. McCollum to be public administrator for the county of De Kalb.

THOMAS CARLIN.

Which was read.

Whereupon,

Mr. Witt moved that the Senate do now advise and consent to the nomination of Matthias S. Link to be notary public for the county of Greene; which was decided in the affirmative.

Mr. Murray moved that the Senate do now advise and consent to the nomination of Lyman Adams as notary public for the county of St. Clair; which was agreed to.

Whereupon,

On motion of Mr. Servant,

The communication was laid on the table.

TUESDAY, JANUARY 29, 1839.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, January 26, 1839.

To the Senate of Illinois:

I nominate John S. Greathouse to be notary public for the county of Macoupin.

THOMAS CARLIN.

Mr. Borough moved that the Senate now advise and consent to the nomination of John S. Greathouse to be notary as above; which was decided in the affirmative.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, January 25, 1839.

To the Senate of Illinois:

I nominate Eli Barnes to be notary public, and Isaac McCollum to be public administrator, for the county of De Kalb.

THOMAS CARLIN.

Mr. Stadden moved that the Senate do now advise and consent to the nominations of Eli Barnes to be notary public, and Isaac A. McCollum to be public administrator as above; which was decided in the affirmative.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, January 29, 1839.

To the Senate of Illinois:

I nominate Thomas S. Wiles to be a notary public for the county of Gallatin.

THOMAS CARLIN.

Mr. Gatewood moved that the Senate do now advise and consent to the nomination of Thomas S. Wiles to be notary public as above; which was decided in the affirmative.

TUESDAY, FEBRUARY 5, 1839.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 5, 1839.

To the Senate of Illinois:

I nominate Daniel Pain to be public administrator for the county of Lawrence.

THOMAS CARLIN.

Mr. Greer moved that the Senate do now advise and consent to the above nomination; which was decided in the affirmative.

SATURDAY, FEBRUARY 9, 1839.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 7, 1839.

To the Senate of Illinois:

I nominate Gilbert Nettleton to be notary public for the town of Chester, in the county of Randolph.

THOMAS CARLIN.

Mr. Servant moved that the Senate do now advise and consent to the above nomination; which was decided in the affirmative.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 8, 1839.

To the Senate of Illinois:

I nominate William H. Nelins to be public administrator for the county of Cass; John H. Bryant to be notary public, and John M. Gay to be public administrator, for the county of Bureau; Ira J. Fenn to be notary public, and William H. Effner to be public administrator, for the county of Marshall.

THOMAS CARLIN.

Mr. Hamlin moved to advise and consent to the nominations for Bureau county; and

Mr. Thomas moved to amend the motion, so as to make it a motion that the Senate do now advise and consent to all the foregoing nominations; which was decided in the affirmative.

TUESDAY, FEBRUARY 19, 1839.

Mr. Speaker laid before the Senate a communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 19, 1839.

To the Senate of Illinois:

I nominate Walter Bagby to be public administrator for the county of Hancock; Calvin A. Warren to be notary public for the town of Warsaw, Hancock county.

THOMAS CARLIN.

Mr. Little moved that the Senate do now advise and consent to the foregoing nominations; which was decided in the affirmative.

Mr. Speaker laid before the Senate a communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 18, 1839.

To the Senate of Illinois:

I nominate Thomas Melvill to be notary public for the county of Jo Daviess.

THOMAS CARLIN.

Mr. Servant moved that the Senate do now advise and consent to the foregoing nomination; which was decided in the affirmative.

MONDAY, FEBRUARY 25, 1839.

Mr. Speaker laid before the Senate a communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 23, 1839.

To the Senate of Illinois:

I nominate Horatio H. McClintoc to be notary public for the city of Alton.

THOMAS CARLIN.

Mr. Churchill moved that the Senate do now advise and consent to the foregoing nomination; which was decided in the affirmative.

Mr. Speaker laid before the Senate a communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 23, 1839.

To the Senate of Illinois:

I nominate Lafayette McCrellis to be notary public for the town of Grafton.

Rulef H. Van Dyke to be notary public for the town of Jerseyville.

Charles Lancaster to be notary public for the town of Carrollton.

Henry B. Blanchard to be notary public for the town of Whitehall, all of Greene county.

John Shaw to be notary public for the town of Hamburg, Calhoun county.

THOMAS CARLIN.

Which was read,

Mr. Witt moved that the Senate do now advise and consent to the foregoing nominations; which was decided in the affirmative.

TUESDAY, FEBRUARY 26, 1839.

Mr. Speaker laid before the Senate a communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 25, 1839.

To the Senate of Illinois:

I nominate David Noble to be public administrator for the county of McLean.

THOMAS CARLIN.

Which was read.

Mr. Allen moved that the Senate do now advise and consent to the foregoing nomination; which was decided in the affirmative.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, February 26, 1839.

To the Senate of Illinois:

I nominate Horace N. Chapman to be notary public for the county of Kane.

THOMAS CARLIN.

Which was read.

Mr. Witt moved that the Senate do now advise and consent to the above nomination; which was decided in the affirmative.

FRIDAY, MARCH 1, 1839.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, March 1, 1839.

To the Senate of Illinois:

I nominate John Storm to be public administrator for the county of Pope.

William D. Donoghu to be public administrator for the county of Johnson.

THOMAS CARLIN.

Mr. Witt moved that the Senate reject the nomination of John Storm to be public administrator for the county of Pope; which was decided in the affirmative.

Mr. Gibbs moved that the Senate now advise and consent to the nomination of William D. Donoghue, to be public administrator for the county of Johnson; which was decided in the affirmative.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, March 1, 1839.

To the Senate of Illinois:

I nominate Thomas Ford to be Secretary of State.

THOMAS CARLIN.

Mr. Browning moved to lay said nomination on the table until the 4th of July next: which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Gibbs, Greer, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, Thomas, and Warren—22.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Hacker, Hackelton, Hunter, Johnston, Mitchell, Parrish, Peck, Richardson, Stadden, Weatherford, Witt, and Wood—14.

SATURDAY, MARCH 2, 1839.

Mr. Speaker laid before the Senate a communication from the Governor, in the nature of a protest; which was read.

Whereupon,

Mr. Servant moved for adoption the following resolutions, which, by a rule of the Senate lie one day on the table, viz:

Resolved, That, in the opinion of the Senate, the Governor possesses no power to have entered upon the journals of the Senate a protest against the action of the Senate upon executive nominations.

Resolved, That the Governor have leave to withdraw the communication just read, purporting to be a protest against the action of the Senate upon executive nominations.

On motion of Mr. Wood,

The rule of the Senate was dispensed with, and said resolutions now taken up for consideration.

Mr. Gatewood called for a division of the question; which was ordered, and the vote being taken on the first resolution,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Borough, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Little, Mills, Moore, O'Rear, Ross, Servant, Thomas, and Warren—20.

Those who voted in the negative, are,

Messrs. Gaston, Hackelton, Hunter, Johnston, Mitchell, Parrish, Peck, Stadden, Weatherford, Witt, and Wood—11.

Mr. Peck moved to amend the second resolution, by adding the following, viz:

Resolved, That the Senate has the power to have recorded upon its journals a protest against the action of the Senate upon executive nominations.

Mr. Little moved the indefinite postponement of said amendment; which was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Greer, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, Thomas, and Warren—19.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Gatewood, Hackelton, Hunter, Johnston, Mitchell, Parrish, Peck, Stadden, Weatherford, Witt, and Wood—13.

Mr. Peck then moved the following, as an amendment to the second resolution, viz:

Resolved, That the communication from the Governor, in the nature of a protest made to the Senate this day, and now under consideration, be entered upon the journals of the Senate; which was not agreed to.

Those who voted in the affirmative, are,

Messrs. Borough, Gaston, Hackelton, Hunter, Johnston, Mitchell, Parrish, Peck, Stadden, Weatherford, Witt, and Wood—12.

Those who voted in the negative, are,

Messrs. Allen Blackwell, Browning, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, Thomas, and Warren—20.

The question then recurring on the adoption of the second resolution offered by Mr. Servant,

It was decided in the affirmative.

Those who voted in the affirmative, are,

Messrs. Allen, Blackwell, Browning, Butler, Churchill, Davidson, Fithian, Fletcher, Gatewood, Greer, Hamlin, Harrison, Little, Mills, Moore, Murray, O'Rear, Ross, Servant, Thomas, and Warren—21.

Those who voted in the negative, are,

Messrs. Borough, Gaston, Hackelton, Hunter, Johnston, Mitchell, Parrish, Peck, Richardson, Stadden, Weatherford, Witt, and Wood—13.

Mr. Speaker laid before the Senate the following communication from the Governor, viz:

EXECUTIVE DEPARTMENT,

Vandalia, Illinois, March, 2, 1839.

To the Senate of Illinois:

I nominate Leonard Gloss to be notary public, and Vance L. Davidson to be public administrator, for the county of Carroll.

THOMAS CARLIN.

Which was read.

On motion, that the Senate do now advise and consent to the foregoing nomination,

It was decided in the affirmative.

Mr. Speaker laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT.

Vandalia, Illinois, March 2, 1839.

To the Senate of Illinois:

I nominate Benjamin B. Brown to be notary public for the county of McHenry.

George P. Grubb to be notary public for the town of Springfield, Sangamon county.

Doris D. Shumway to be notary public for Zanesville, Montgomery county.

Robert Allen, James Adams, William Grimsley, James W. Keys, and James Campbell, of the town of Springfield, and Jehu Lindley, of Tazewell county, and Joseph Davis, of Vermilion county, to be directors of the State Bank of Illinois.

THOMAS CARLIN.

Which was read; and,

On the question—"Will the Senate now advise and consent to the nominations of Benjamin B. Brown, George P. Grubb, and Dorris D. Shumway, to be notaries public for the towns and counties as designated by the Governor in his communication?"

It was decided in the affirmative.

The Senate now took under consideration the nominations for State Bank directors, as made in said message.

Whereupon,

On motion of Mr. Fletcher,

A division of the nominations was had; and,

On the question—"Will the Senate now advise and consent to the nomination of Robert Allen, as a director for the State Bank of Illinois?"

It was decided in the affirmative.

On the question—"Will the Senate now advise and consent to the nomination of James Adams, as a director for the State Bank of Illinois?"

It was decided in the negative.

On the question—"Will the Senate now advise and consent to the nomination of William Grimsley, as a director for the State Bank of Illinois?"

It was decided in the affirmative.

On the question—"Will the Senate now advise and consent to the nomination of James W. Keys, as a director for the State Bank of Illinois?"

It was decided in the affirmative.

On the question—"Will the Senate now advise and consent to the nomination of Joseph Davis, as a director for the State Bank of Illinois?"

It was decided in the affirmative.

On the question—"Will the Senate now advise and consent to the nomination of Jehu Lindley, as a director for the State Bank of Illinois?"

It was decided in the affirmative.

Mr. Thomas moved that the nomination of James Campbell, as a director for the State Bank of Illinois, be laid upon the table; which was agreed to.

So the Senate do now advise and consent to the nomination of Robert Allen, William Grimsley, James W. Keys, Jehu Lindley, and Joseph Davis, to be directors of the State Bank of Illinois; but do not advise nor consent to the nomination of James Adams, as a director for the State Bank of Illinois, and have laid upon the table the nomination of James Campbell as a director of the State Bank of Illinois.

Mr. Speaker laid before the Senate the following communication from the Governor:

EXECUTIVE DEPARTMENT,
Vandalia, Illinois, March 2, 1839.

To the Senate of Illinois:

I nominate Stephen R. Rowan, Jesse J. Robinson, Thomas Hicks, John Lane, George Livingston of Gallatin county, John Ewing of Franklin county, Edward Smith of Wabash county, Edwin B. Webb of White county, and Francis Swanwich of Randolph county, to be directors of the Bank of Illinois.*

Walter Kimball and Norman B. Judd to be notaries public for the city of Chicago.

Hugh Henderson to be notary public for the town of Juliet, in Will county.

Arthur Patterson to be notary public for Lake county.

William Ogle to be public administrator for Madison county.

Horatio J. McClintoc to be notary public for the city of Alton.

Isaac Prickett, William Montgomery, and Peter Merrill, to be inspectors of the penitentiary.

THOMAS CARLIN.

Which was read.

Mr. Servant moved that the Senate do now advise and consent to the nomination in said message of Bank directors for the Bank of Illinois.*

Mr. Gatewood moved to take under consideration the nomination of Thomas Hicks alone; which was agreed to, and,

On the question—Will the Senate now advise and consent to the nomination of Thomas Hicks, as a director of the Bank of Illinois?*"

It was decided in the negative.

Mr. Gatewood then moved to take under consideration the nomination of Jesse J. Robinson and George Livingston as *Bank directors; which was agreed to; and,

On the question—"Will the Senate now advise and consent to the nomination of Jesse J. Robinson and George Livingston as directors of the Bank of Illinois?"*

It was decided in the negative.

When,

The question recurring upon the motion of Mr. Servant, except as to Thomas Hicks, Jesse J. Robinson, and George Livingston, was decided in the affirmative.

[On the original Journal, it is written "State Bank" throughout; but, in the original letter of the Governor, these nominations are made for the "Bank of Illinois."—PUBLIC PRINTER.]

Mr. Gatewood moved to reconsider the vote just taken as regards Stephen R. Rowan; which was agreed to; and,

On the question being again put—"Will the Senate now advise and consent to the nomination of Stephen R. Rowan as a director for the Bank of Illinois?"

It was decided in the negative.

Mr. Peck moved that the Senate do now advise and consent to the nominations of Walter Kimball, and Norman B. Judd, Hugh Henderson, and Arthur Patterson, as notaries public for the towns and counties as designated in the message; which was agreed to.

Mr. Churchill moved that the Senate do now advise and consent to the nominations of Wm. Ogle, as public administrator of Madison county, and Horatio G. McClintoc, as notary public for the city of Alton; which was agreed to.

Mr. Churchill moved that the Senate do now advise and consent to the nominations of William Montgomery and Peter Merrill, as inspectors for the penitentiary; which was agreed to.

On motion of Mr. Fletcher,

The nomination of Isaac Prickett, as inspector for the penitentiary, was laid on the table.

Mr. Browning moved that the injunction of secrecy be removed from the executive proceedings of the Senate, and that the same be entered on the journals, and be published with the same; which was agreed to.

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